JOURNAL

OF THE

SENATE

OF THE

STATE OF ALABAMA

REGULAR SESSION OF 1969

HELD IN THE CITY OF MONTGOMERY
COMMENCING TUESDAY, MAY 6, 1969

Vol. I

WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE

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JOURNAL

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REGULAR SESSION OF 1969

FIRST LEGISLATIVE DAY

TUESDAY, MAY 6, 1969

This being the first Tuesday in May, A.D., 1969, and the day fixed by law and the Constitution of the State of Alabama, for the biennial meeting of the Legislature of Alabama:

The Senate of Alabama assembled in the Senate Chamber in the City of Montgomery at 12 o'clock Noon, and was called to order by the Honorable O. J. Goodwyn, President Pro Tempore and Presiding Officer.

McDowell Lee, Secretary, was present and acted as such according to law.

PRAYER

The Session was opened with prayer by the Reverend Clifford M. Abbott, Pastor, St. James United Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:			
Adams	Dominick	Jackson	Oden
Albea	Engel	Leonard	Pelham
Bailes	Folsom	Lindsey	Pierce
Branyon	Giles	Lolley	Radney
Carr	Gilmore	McCarley	Skidmore
Childs	Givhan	McDermott	Stone
Clark	Goodwyn	Morrow	Torbert
Cooper	Harris	Nabors	Turner
	Hawkins	O'Bannon	Vacca

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MESSAGE FROM THE GOVERNOR

To the House of Representatives of Alabama
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

ROBERT M. CLECKLER
Secretary to the Governor.

May 6, 1969

MESSAGE FROM THE GOVERNOR

TO THE MEMBERS OF THE LEGISLATURE OF THE STATE OF ALABAMA:

First, let me commend each of you for the tireless effort you have made during the past few weeks in pushing through a program for education. At the beginning of the Special Session which has just been concluded, I stated that I was convinced that you were convening in a constructive spirit—not to tear down but to build up—not to argue negatively, but to act positively—not to look for problems but to find solutions. You accepted the challenge and today we are on the road to a new approach in education—we are beginning a new day when we can completely discard the concept of dealing with our educational problems on a crisis to crisis basis and begin to deal with them in a businesslike and orderly manner.

You have just adopted legislation which will allow for sweeping changes in the methods of administration of our school systems and you have made significant changes with regard to their financing. These welcomed new, fresh approaches to our problems should bring about desirable changes in a system which has needed some innovations for such a long time.

I sincerely and wholeheartedly commend you for the long hours which you spent in working out this program. We can all feel justly proud of this accomplishment, but I hope that we will not rest—having come this far. With the establishment of the Commission on Higher Education and the Education Study Commission on a permanent basis we should from henceforth approach the many remaining educational problems with study, deliberation and much thought and with a positive attitude of being willing to discard that which is bad and replace it with that which is good—constantly keeping in mind that our job is to get our dollars to the teacher in the classroom and the student at the desk—where education really takes place.

You have done something more—you have done something better—for the school children of Alabama, and you deserve the gratitude and respect of every citizen of our State.

Because of the pressing requirements of the Special Session just ended, I have not had time to outline in specific detail those areas to which I hope you will direct your attention during the Regular Session, but I shall within the next two weeks prepare a message which will be sent to you outlining several measures to meet some special problems. In general, we will be requesting legislation dealing with ad valorem tax reform, pornography, highway safety, Medicaid, and election law reform. You will also be providing appropriations for the operation of State government for the next two years. Many of you have proposals of statewide application which are meritorious and which I will be happy to aid you with at any time. The Legislative Council will present several bills for your consideration and, considering the usual number of local bills you will be called upon to consider, I know that you will have a most active Session.

This Legislature has proved beyond a shadow of a doubt that it is willing and able to deal with the pressing problems of modern Alabama. We share a common concern for our future as a State and as a people, and I am confident that we can face the issues which present themselves in the Regular Session with wisdom and creative action.

I look forward with pleasure to having the opportunity to work with you again in helping to solve some of our State's problems and to meet some of the challenges which are presented to us. With God's

help I know that we will meet the responsibilities entrusted to us by the people.

Respectfully,

ALBERT P. BREWER,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, was read and ordered spread upon the Journal.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
C A P I T O L

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

ROBERT M. CLECKLER,
Secretary to the Governor.

May 6, 1969

MESSAGE FROM THE GOVERNOR

TO Members of The Alabama Legislature:

I am pleased to present to you today the first copy of the official Alabama Sesquicentennial Flag. As members of the Legislature of Alabama, I feel it is appropriate and fitting that you should receive this first copy.

This Flag is but one of the symbols of our Sesquicentennial Celebration, but it represents in some measure the significance of this year in which we commemorate the 150th anniversary of our statehood.

I know that you join with me, at this time, in paying tribute to those Alabamians of the past whose energy and devotion have brought our state thus far. We reflect with pride on our past accomplishments—and they are many.

At the same time, I know that you join with me in facing the future with confidence in our ability, our resources, and our creative energy. We truly stand on the threshhold of an age of unparalleled growth and progress as a State and as a people.

Let us look to this Sesquicentennial Flag as a symbol of our pride in the past and our hopes for the future.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, was read and ordered spread upon the Journal.

MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House to notify the Senate that the House is now in session and is ready for the transaction of public business.

JOHN W. PEMBERTON,
Clerk.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. O'Bannon:

S. 1. To amend Act No. 326, H. 775, Regular Session 1965 (Acts 1965, p. 809), relating to judicial circuits composed of only one county and having a population of not less than 60,500 nor more than 65,000 inhabitants; which authorizes the appointment of a deputy circuit solicitor; so as to provide further for the compensation of such solicitor.

Committee on Local Legislation No. 1.

By Messrs. Harris, Givhan, Clark, Lolley, Engel, Adams, Turner, Folsom, Cooper, Torbert, McDermott, Pelham and Skidmore:

S. 2. Concerning crimes and punishments, and prohibiting certain trespass upon the property of and the interference with the peaceful conduct of institutions of higher education; and prescribing penalties.

Committee on Judiciary.

By Messrs. Harris, Givhan, Clark, Lolley, Engel, Adams, Turner, Folsom, Cooper, Torbert, McDermott, Pelham and Skidmore:

S. 3. To make it a felony for any non-student to promote or participate in a riot at any school.

Committee on Judiciary.

By Messrs. Harris, Clark, McDermott, Pierce and Skidmore:

S. 4. Regulating the acquisition of control of a domestic insurance company and certain transactions, dividends and distributions between insurance companies and their affiliates and to provide penalties for the violation thereof.

Committee on Judiciary.

By Mr. Harris:

S. 5. To amend further Code of Alabama 1940, Title 52, Section 495, which relates to meetings of the board of trustees of the University of Alabama, in relation to the places of such meetings.

Committee on Education.

By Mr. Harris:

S. 6. To make an appropriation for the use of the board of adjustment for making awards to widows and dependents of certain peace or law enforcement officers and firemen killed in line of duty.

Committee on Finance and Taxation.

By Mr. Harris:

S. 7. To make appropriations for the support and maintenance of Athens College.

Committee on Finance and Taxation.

By Mr. Harris:

S. 8. To provide for the mandatory inspection of the slaughter of cattle, sheep, swine, goats, and equines, and poultry, and the preparation of the carcasses, parts thereof, meat and meat food products of such animals; solely for distribution in this State; for the regulation of related industries; for the cooperation with the United States Department of Agriculture; for quarantine, seizure, condemnation and destruction of carcasses, parts thereof and meat and poultry products; for promulgation of regulations; prohibiting certain acts relative to said meat and meat products, the preparation, transportation, labeling and distribution thereof, and providing penalties; the designation of the Commissioner of Agriculture and Industries of the State of Alabama as the supervising agency of the State of Alabama and the authorization of the said Commissioner and the Board of Agriculture and Industries of the State of Alabama to promulgate rules and regulations relating to all of the aforesaid.

Committee on Agriculture.

By Mr. Giles:

S. 9. To amend Section 3 of Act No. 863, H. 1061, Regular Session 1965 (Acts 1965, p. 1603) an act to create the Alabama Space Science Exhibit Commission so as to exempt certain employees of the commission from the provisions of the state merit system act; to provide that such employees shall be eligible to participate in the state's health insurance plan and benefits for state employees and in the state employees' retirement system.

Committee on Finance and Taxation.

By Mr. Giles:

S. 10. To suppress the traffic in obscenity, defining terms, providing trial and enforcement procedures, providing for seizure of obscene material and summary determinations thereof, to prescribe penalties, to repeal Chapter 64, Code of Alabama, 1940, entitled "Obscene Prints and Literature," and to repeal Act No. 856, Acts of Alabama, 1961, Chapter 1310, approved September 8, 1961, entitled "An Act to Suppress Traffic in Obscene Publications, . . ."

Committee on Judiciary.

By Messrs. Carr, Skidmore, Leonard, Radney, McCarley, Albea, Pierce, Jackson, Branyon and Bailes:

S. 11. To provide for the regulation and control of Air Pollution in the State of Alabama; Creating the Department of Air Pollution Control; Creating a technical advisory board and an appeal board to work in conjunction with the Department of Air Pollution Control; providing for the duties and powers of said department and boards; making it a criminal offense to violate provisions of this Act and providing penalties for such violations; making appropriations for the next two state fiscal years for the purpose of carrying out the provisions of this Act.

Committee on Finance and Taxation.

By Messrs. Nabors, Turner, Torbert and Folsom:

S. 12. Proposing an amendment to the Constitution of Alabama providing for annual sessions of the legislature and regulating the length of such sessions.

Committee on Constitution and Constitutional Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Mr. Nabors:

S. 13. To amend House Bill 5 as passed by the 1969 Special Session of the Alabama Legislature; to provide for the changing of the name of the Alabama Commission of Higher Education.

Committee on Corporations.

By Mr. Nabors:

S. 14. To propose an amendment to the Constitution of Alabama to require the allocation and payment of annual taxes, in the amount of sixty-five one-hundredths of one per cent per annum on the assessed value of taxable property in the State heretofore levied by the Legislature, to the governing bodies of the counties wherein the property is situated or required to be assessed, to be used for public school purposes.

Committee on Finance and Taxation.

The above bill was read a first time at length as required by the Constitution.

By Mr. Nabors:

S. 15. To Amend Act No. 549, S. 2, approved August 23, 1965 (Acts, 1965, V. 1, p. 811), the Uniform Commercial Code, Codified as Title 7 A. Commercial Code.

Committee on Judiciary.

By Mr. Nabors:

S. 16. To amend Section 9 of Act No. 762 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to increase the rate of interest that may be borne by bonds of a gas district organized under the said Act.

Committee on Corporations.

By Messrs. Nabors and Cooper:

S. 17. To amend further Section 9 of Act No. 476, H. 8, Regular Session 1965 (Acts 1965, Regular Session, p. 686) an Act known as the "Physical Therapy Practice Act," so as to provide further for the issuance of licenses without examination.

Committee on Public Health.

By Mr. Albea:

S. 18. To amend Section 3 of Act No. 441, Acts of Alabama, Regular Session 1967, page 1114, relating to all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent Federal decennial census, further regulating the compensation and allowances of the chairmen and members of the court of county commissioners, board of revenue, or other like county governing body; to provide for actual expenses for travel outside the county on county business and to validate payments heretofore made for such travel.

Committee on Local Legislation No. 1.

By Messrs. Albea, Radney, Turner, Skidmore, McDermott, Folsom, Pelham, Giles, Engel and Goodwyn:

S. 19. Relating to civil remedies and procedures: allowing recovery when contributory negligence is less than that of the person being sued, and mitigating damages in proportion to the amount of contributory negligence committed by the person recovering such damages.

Committee on Judiciary.

By Mr. Skidmore:

S. 20. To amend section 5 of Act No. 755, Regular Session 1967 (Acts 1967 p. 1609) which act provides for supernumerary tax collectors, tax assessors or other elected officials charged with assessment and/or collection of ad valorem taxes in various counties, to allow persons eligible for those positions to be appointed whether or not they are eligible for retirement under another retirement plan.

Committee on Judiciary.

By Messrs. Skidmore, Leonard, Nabors and O'Bannon:

S. 21. To amend Section 106 of Act No. 207. S. 134, Regular Session 1949 (Acts 1949 p. 242) by allowing women over eighteen to work in or about coal mines.

Committee on Judiciary.

By Messrs. Skidmore, Leonard, Nabors and O'Bannon:

S. 22. To amend Code of Alabama 1940, Title 26, Section 158, by allowing women over eighteen to work in or about coal mines.

Committee on Judiciary.

By Messrs. Skidmore, Leonard, Nabors and O'Bannon:

S. 23. To amend further Code of Alabama 1940, Title 30, Section 21, as amended to prohibit female jurors from being excused at the discretion of the trial judge.

Committee on Judiciary.

By Messrs. Skidmore, Leonard and Nabors:

S. 24. To amend Code of Alabama 1940, Title 26, Section 337, to make provisions thereof applicable to all employees.

Committee on Immigration, Industrial Resources and Labor.

By Messrs. Bailes, Hawkins, Childs, Morrow, Vacca, McDermott, Gilmore, Pierce, Engel and Dominick:

S. 25. To provide for a statewide reappraisal and revaluation of property for tax purposes in the State of Alabama, to provide for the financing and administration thereof; and to define the functions, powers and duties of the State of Alabama, Department of Revenue and its relationship to county tax assessors and Boards of Equalization under this Act; and to authorize the Department of Revenue to make and promulgate rules and regulations, and provide penalties for violations of the Act.

Committee on Finance and Taxation.

By Messrs. Bailes, Dominick, Childs, Hawkins, Morrow, Vacca, McDermott and Gilmore:

S. 26. To amend Sections 204, 205, and 209, Title 52, Code of Alabama of 1940 and to repeal Sections 210, 211, 212, 213, 214 and 215 of said Title 52, Code of Alabama of 1940.

Committee on Finance and Taxation.

By Messrs. Bailes and Hawkins:

S. 27. Relating to witnesses; to provide that certain communications between physicians, surgeons and other persons duly licensed by the state licensing board for the healing arts and their patients shall be privileged, except under certain conditions.

Committee on Judiciary.

By Messrs. Bailes, Vacca, McDermott, Radney, O'Bannon, Childs, Adams and Dominick:

S. 28. Relating to motor vehicles: To provide means for the recovery of stolen vehicles by requiring the registration of ownership of and liens upon motor vehicles with the State department of public safety; to provide for and regulate the issuance of certificates of title and the notation thereon of liens; to require the maintenance of records relative to certificates of title and notations of liens thereon in the offices of the judges of probate or other motor vehicle licensing authorities in the several counties; to grant certain powers and authority to and impose certain duties on the state department of public safety; and to impose penalties for violations of this act.

Committee on Public Roads and Highways.

By Messrs. Bailes, Vacca, McDermott, Radney, O'Bannon, Hawkins, Nabors, Childs, Carr, Albea, Adams, Dominick and Morrow:

S. 29. To establish a code of ethics for governmental affairs in the State of Alabama for elected state officials, members of the Legislature, members of boards and commissions, employees, and other persons; to establish the Alabama Board of Ethics for State Elected Officials and fix its powers and duties in connection with said code with respect to elected state officials and members of the Legislature; to establish the Alabama Commission on Governmental Ethics and fix its powers and duties in connection with said code with respect to state employees and members of boards and commissions; and to authorize and direct the State Personnel Department to provide investigative and administrative services for the said Commission and Board in connection with said code, to provide prescriptive periods with respect thereto; and to provide civil and criminal penalties in connection with certain violations hereof.

Committee on Judiciary.

By Mr. Bailes:

S. 30. To adopt as the official code of the State of Alabama that compilation of the statutes of a general and permanent nature enacted by the legislature of Alabama which was edited, annotated, printed and published in fifteen volumes by The Michie Company of Charlottesville, Virginia under the title, "Code of Alabama, Recompiled 1958" and copyrighted in 1960 in the name of the State of Alabama, as supplemented and revised by the 1967 cumulative pocket parts thereto, which were also edited, annotated, printed and published by The Michie Company and copyrighted in 1968 in the name of the State of Alabama.

Committee on Judiciary.

By Mr. Bailes:

S. 31. To make further provisions relating to the distribution of textbooks purchased by the State, amending Section 14 of Act No. 221, H. B. 40, First Special Session 1965 (Acts, First Special Session 1965, p. 288) entitled "An Act relating to public school administration; providing further for selection, approval, adoption, purchase, distribution, and use of tax-paid textbooks; repealing conflicting laws."

Committee on Finance and Taxation.

By Mr. Bailes:

S. 32. To provide for the revision, codifications, digesting and promulgation of the public statutes of this State.

Committee on Judiciary.

By Mr. Bailes:

S. 33. To regulate the purchasing of milk and milk products for public schools and certain educational institutions in the state; to provide that the purchase price of such milk shall not be subject to regulation by the Alabama Milk Control Board.

Committee on Agriculture.

By Messrs. Bailes, Hawkins and Childs:

S. 34. To amend Section 666 of Title 7 of the Code of Alabama, 1940, as amended, relating to wages and salary of deceased employees.

Committee on Judiciary.

By Mr. Bailes:

S. 35. Establishing standards of conduct for officers and employees of state agencies, legislators and legislative employees in the area of possible conflict between their private interests and official duties; creating and establishing the Alabama Ethics Commission; providing for the appointment, term, compensation, duties and authority of members of such commission; specifically authorizing the attorney general to render advisory opinions relative to the applicability of this act and any rules and regulations promulgated thereunder; and proviting for adoption by political subdivisions of the provisions of this act by ordinance or resolution.

Committee on Judiciary.

By Messrs. Bailes, Morrow and Dominick:

S. 36. To provide for the RIGHT TO VOTE on the candidates for president and vice-president of the United States by a popular vote of the voters of Alabama; amending Code of Alabama 1940, Title 17, Sections 145, 222, 224, 225.

Committee on Privileges and Elections.

By Mr. Hawkins:

S. 37. Relating to education; requiring local boards of education to provide financial assistance for handicapped children enrolled in day centers and special schools.

Committee on Education.

By Messrs. Vacca, Nabors, Lolley, Bailes, Childs, Dominick, Givhan, Morrow and Engel:

S. 38. To make it unlawful for a person to operate a motor vehicle loaded with gravel or other like substances in such manner that the contents of the vehicle spill out and endanger the property and safety of motorists and pedestrians, and to prescribe the punishment therefor.

Committee on Public Roads and Highways.

By Messrs. Vacca, Givhan, Clark, Branyon, Childs, Bailes, Engel, Gilmore and Dominick:

S. 39. To provide for the display of a distinctive warning device on certain vehicles, farm tractors, implements of husbandry, and special mobile equipment, and to prescribe the design, style, position, and use of such device, and to provide a penalty for any violation of the requirements of this Act.

Committee on Public Roads and Highways.

By Mr. Childs:

S. 40. To revise and amend all of Section 58 (9) of Title 36, 1940 Code of Alabama, as Recompiled 1958, regulating operation of vehicles on the highways.

Committee on Public Roads and Highways.

By Mr. Childs:

S. 41. To revise and amend Section 39 of Title 36 of the 1940 Code of Alabama, as amended, which relates to mufflers on motor vehicles, the suppression of noise, the suppression of exhaust fumes, and prohibits the permitting of loads on motor vehicles to sift upon the highways.

Committee on Public Roads and Highways.

By Mr. Childs:

S. 42. To provide for the payment of additional compensation for certain state peace officers or law enforcement officers for additional and added duties beyond the normal working hours in cases of public disaster or civil disturbance.

Committee on Public Buildings and Grounds.

By Mr. Childs:

S. 43. To provide for the placement of tail lamps upon motor vehicles.

Committee on Public Roads and Highways.

By Messrs. Gilmore, Hawkins, Vacca, Childs and Bailes:

S. 44. To Regulate The Establishment And Operation Of Separate Accounts By Life Insurance Companies Incorporated Under The Laws Of This State In Connection With Certain Individual And Group Contracts Providing Benefits Payable In Fixed Or In Variable Dollar Amounts, Or In Both.

Committee on Banking.

By Messrs. Gilmore, Oden, Pierce, Nabors, Turner, Engel, Cooper, Torbert, Clark, Vacca, Childs, Branyon, Folsom, Bailes, Pelham, McDermott, Harris, Jackson, Carr, Albea, McCarley, Leonard and Giles:

S. 45. To prohibit the exposing of certain obscene and harmful materials to minors; to define terms, and to prescribe penalties.

Committee on Judiciary.

By Messrs. Gilmore, Childs, Giles, Folsom, Torbert, Branyon, Vacca, Lindsey, Radney, Morrow, Jackson and Nabors:

S. 46. To provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act.

Committee on Public Buildings and Grounds.

By Mr. Gilmore:

S. 47. To raise state revenue; to amend further Section 819, Title 51, Code of Alabama 1940, as amended, relating to the tax to be paid by domestic insurance companies, so as to provide certain exemptions for domestic life insurance companies.

Committee on Finance and Taxation.

By Mr. Leonard:

S. 48. Making an appropriation from the state treasury for the relief of Mrs. James Charlie Hallman.

Committee on Finance and Taxation.

By Mr. Givhan:

S. 49. To provide penalties for persons convicted of stealing fish from persons engaged in fish farming.

Committee on Fish and Game.

By Messrs. McCarley and Leonard:

S. 50. To amend Code of Alabama 1940, Title 36, Sections 1 and 36, as amended, so as to define further the term "authorized emergency vehicle," and to regulate the use of horns and warning devices on certain types of such vehicles.

Committee on Judiciary.

By Messrs. Torbert, Engel, Clark, Turner, Goodwyn and Radney:

S. 51. To provide that all debts incurred under the Acts of Congress commonly known as the National Housing Act and the Acts providing for Veterans' Benefits, as now existing or as they may hereafter be amended or supplemented, shall be legal investments for banks, insurance companies, savings and loan associations, trustees, fiduciaries of all types and for any other person, firm or corporation.

Committee on Banking.

By Messrs. Torbert, Engel, Clark, Turner, Goodwyn and Radney:

S. 52. To exempt debts incurred under the Acts of Congress, commonly known as the National Housing Act and the Acts providing for Veterans' Benefits, as now existing or as they may hereafter be amended or supplemented, from usury and interest restrictions of this State.

Committee on Banking.

By Messrs. Torbert, Engel, Clark, Turner, Goodwyn and Radney:

S. 53. To permit corporations to pay such rates of interest on the loan or forbearance of money as such borrower may agree to pay without regard to any provision of law limiting interest rates, and denying to such borrower and to other persons who may become liable thereon the right to claim or raise the defense of usury.

Committee on Banking.

By Messrs. Torbert and Radney:

S. 54. To make an appropriation to Auburn University for operation and maintenance of the school at Montgomery.

Committee on Finance and Taxation.

By Mr. Torbert:

S. 55. Relating to wildlife retained in captivity for exhibition purposes by private interests; requiring the Director of Conservation to promulgate rules for sanitary and humane treatment of such wildlife, providing for enforcement of such rules, and providing penalties for violations thereof.

Committee on Fish and Game.

By Mr. Torbert:

S. 56. Establishing standards of conduct for officers and employees of state agencies, legislators and legislative employees in the area of possible conflict between their private interests and official duties; creating and establishing the Alabama Ethics Commission; providing for the appointment, term, compensation, duties and authority of members of such commission; specifically authorizing such commission to render advisory opinions relative to the applicability of this act; and providing for adoption by political subdivisions of the provisions of this act by ordinance or resolution.

Committee on Judiciary.

By Mr. Torbert:

S. 57. To repeal Section 30, Title 13, Code of Alabama 1940, which requires the justices of the Supreme Court to remain in Montgomery during terms of court.

Committee on Judiciary.

By Mr. Torbert:

S. 58. To amend Section 29, Title 13, Code of Alabama 1940, as amended, relating to the salary of every justice of the supreme court.

Committee on Finance and Taxation.

By Mr. Torbert:

S. 59. To provide for a supreme court composed of a chief justice and eight associate justices; amending Code 1940, Title 13, Secs. 10, 11, 14, and 15, and Title 17, Sec. 71.

Committee on Judiciary.

By Mr. Torbert:

S. 60. To amend Sections 31, 32 and 33, Title 13, Code of Alabama 1940, as amended, relating to supernumerary justices of the supreme court so as to provide further conditions for mandatory and elective status and to prescribe the duties, powers and salaries of such justices.

Committee on Finance and Taxation.

By Mr. Torbert:

S. 61. Providing for distribution of copies of certain bills introduced in the legislature to the members thereof.

Committee on Judiciary.

By Mr. Torbert:

S. 62. To create an Alabama Recreation Commission; to provide for the members of the Commission, their appointments, qualifications, and term of office; to provide for the powers and duties of the Commission; to provide for an Executive Director of the Commission; to provide for the powers and duties of the Executive Director; to define the terms used in this Act; and to appropriate funds.

Committee on Finance and Taxation.

By Mr. Torbert:

S. 63. Proposing an amendment to the Constitution of Alabama to provide that the legislature may from time to time, by general or local laws, fix, alter and regulate the costs and charges of courts in Lee County and the method of disbursement thereof.

Committee on Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Torbert:

S. 64. Proposing an amendment to the Constitution of Alabama authorizing each county to levy and collect a library fee as an item of court costs in each case docketed in any court of the county, except justice of the peace courts, for public law library purposes.

Committee on Constitution and Constitutional Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Mr. Torbert:

S. 65. Relating to the Fifth Judicial Circuit; creating an indigent defendants fund in the county treasury of each county in such circuit; providing for the payment of certain solicitor's fees into such funds; authorizing and providing for the payment out of such indigent defendants funds of compensation, supplementary to compensation payable out of the state treasury, to counsel appointed by the court to represent and assist indigent defendants; and repealing Act No. 485, S. 353 of the Regular Session of 1963 and all other conflicting laws or parts of laws.

Committee on Finance and Taxation.

By Mr. Torbert:

S. 66. To provide for assessment of reasonable fees for attorneys prosecuting the cause in suits for recovery of past due alimony, maintenance or support.

Committee on Judiciary.

By Mr. Torbert:

S. 67. To amend Section 429 of Title 15, Code of Alabama 1940, relating to judicial procedure, so as to provide further conditions for the release of hospital defendants acquitted on account of insanity.

Committee on Judiciary.

By Mr. Torbert:

S. 68. To amend further Section 385, Title 51, Code of Alabama 1940 as amended, to allow deductions for charitable contributions made to out of state institutions by nonresident taxpayers.

Committee on Finance and Taxation.

By Mr. Torbert:

S. 69. To designate an official pledge of allegiance to the state flag and to prescribe the manner in which such pledge shall be rendered.

Committee on Corporations.

By Messrs. Radney, Cooper, Vacca, Bailes, Pierce, Nabors, Albea, Leonard, Childs, Lindsey, Giles, Gilmore, Adams, Lolley, McDermott, Skidmore, Hawkins, Givhan, Stone, Branyon, Morrow, Jackson, Dominick, Engel and Carr:

S. 70. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Committee on Judiciary.

By Mr. Radney:

S. 71. To amend Title 52, § 136, Code of Alabama, as amended, to provide that teachers and other employees of County Boards of Education in the State of Alabama shall be permitted to accumulate and to be paid for leaves of absence due to sickness for not more than ninety days.

Committee on Education.

By Mr. Radney:

S. 72. To amend Title 52, § 197, Code of Alabama, as amended, to provide that teachers and other employees of City Boards of Education in the State of Alabama shall be permitted to accumulate and to be paid for leaves of absence due to sickness for not more than ninety days.

Committee on Education.

By Mr. Radney:

S. 73. To amend Code of Alabama 1940, Title 34, Section 90, which relates to the punishment for desertion and non-support by a husband or parent.

Committee on Judiciary.

By Messrs. Radney, Cooper and Lindsey:

S. 74. Proposing an amendment to the Constitution of Alabama in relation to the minimum age for registering to vote and voting.

Committee on Privileges and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Radney, Cooper and Lindsey:

S. 75. To amend Title 17, Sections 12, 32 and 35, Code of Alabama, reducing the minimum age for persons to register and to vote.

Committee on Privileges and Elections.

By Mr. Lindsey:

S. 76. To amend Section 170 of Title 5 of the 1940 Code which relates to bank mergers and to moving of banking offices.

Committee on Banking.

By Messrs. Cooper, Leonard, Radney, Turner, Givhan, Harris, Jackson, Vacca and Pierce:

S. 77. To create the State Board of Examiners of Nursing Home Administrators; to prescribe the powers of the State Board of Examiners of Nursing Home Administrators; to provide for the issuance of licenses for nursing home administrators.

Committee on Public Health.

By Messrs. Cooper, Lolley, Engel, Lindsey, Vacca, Childs, Pierce, Leonard, McDermott, Giles, Turner, Skidmore, Hawkins, Stone, Oden, Gilmore, Nabors, Folsom and Branyon:

S. 78. To provide for mandatory inspection of the slaughter of cattle, sheep, swine, goats, equines, and poultry, and the preparation of the carcasses, parts thereof, meat, meat food products, and poultry products of such animals, solely for distribution in this State; for the regulation of related industries; for cooperation with the United States Department of Agriculture; and for penalties for violations, detention, seizure and other enforcement authorities; the designation of the Alabama Department of Public Health as the supervising agency of the State of Alabama and the authorization of the State Health Officer to promulgate rules and regulations relating to all of the aforesaid.

Committee on Public Health.

By Messrs. Cooper, Stone, Lolley, Vacca, Bailes, Gilmore, Oden, Engel, Clark, Torbert, Turner, Carr, Nabors, Folsom, Branyon, Givhan, Jackson, Harris and Pelham:

S. 79. To authorize and provide for compulsory driver education in the public high schools of Alabama and the granting of credit for same.

Committee on Finance and Taxation.

By Messrs. Cooper, Lolley, Clark, Engel, Radney, Lindsey, Albea, Vacca, Childs, Pierce, O'Bannon, Leonard, McDermott, Giles, Gilmore, Adams, Turner, Skidmore, Hawkins, Stone, Oden, Carr, Nabors, Folsom, Branyon, Givhan, Jackson, Harris and Pelham:

S. 80. To amend further Act No. 47, Special Session 1961, approved September 15, 1961 (Acts 1961, v. 2, p. 1904), which Act exempts certain religious, benevolent and civic institutions and organizations from taxation and licenses, so as to grant exemptions to Boys' Ranch.

Committee on Finance and Taxation.

By Messrs. Turner and Engel:

S. 81. To repeal subsection (2) of Section 14 of Act No. 374, General Acts of Alabama, Regular Session 1959, known as the Alabama Small Loan Act.

Committee on Banking.

By Messrs. Turner and Engel:

S. 82. To be known as the Alabama Consumer Credit Code, relating to certain consumer and other credit transactions and constituting the uniform consumer credit code; consolidating and revising certain aspects of the law relating to consumer and other loans, consumer and other sales of goods, services and interests in land, and consumer leases; revising the law relating to usury; regulating certain practices relating to insurance in consumer credit transactions; providing for administrative regulation of certain consumer credit transactions; making uniform the law with respect thereto; and repealing inconsistent legislation, including the following laws and parts of law:

Code of Alabama 1940: Title 9, § § 61, 65, and 66; Title 28, § 296; and Title 51, § 495 as amended by Act No. 680, General Acts of Alabama, Regular Session (1953); and Act No. 374 General Acts of Alabama, Regular Session 1959, known as the Alabama Small Loan Act; and to amend the following laws:

Code of Alabama 1940: Title 9, § 60; and Title 5, § 120.

Committee on Banking.

By Messrs. Radney, Turner, Torbert, Harris, McDermott, Turner and Engel:

S. 83. To amend Code of Alabama Title 17, Section 153, which relates to the form of ballots to be used at elections, to provide for direct voting on candidates for president and vice president of the United States.

Committee on Privileges and Elections.

By Messrs. Radney, Turner, Torbert, Harris and Engel:

S. 84. Relating to elections; repealing Sections 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, and 400 of Title 17, Code of Alabama 1940.

Committee on Privileges and Elections.

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 85. To provide further for the conduct of elections in all counties wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Committee on Privileges and Elections.

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 86. Relating to elections; placing certain restrictions on write-in candidates and write-in votes; defining write-in candidate and repealing conflicting laws.

Committee on Privileges and Elections.

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 87. To amend Act No. 664, S. 133 of the Regular Session of 1961 (Acts of Alabama, Regular Session 1961, p. 868), which provides for and regulates elections in cities and towns of 300,000 population or less, which have a commission form of government, so as to make the provision thereof for assistance to disabled voters conform to the provisions of the general election law relative to assistance to disabled voters.

Committee on Privileges and Elections.

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 88. To amend further Act No. 663, S. 132 of the Regular Session of 1961 (Acts of Alabama 1961, p. 827), as amended, which provides for and regulates general and special elections in cities and towns of this state having populations of 300,000 or less, except cities and towns which have a commission form of government, so as to make the provision thereof for assistance to disabled voters conform to the provision of the general election law relative to assistance to disabled voters.

Committee on Privileges and Elections.

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 89. To fix the compensation of election officers; amending Code of Alabama 1940, Title 17, Section 198, which prescribes and regulates the payment of compensation for election officers; and repealing Act 409, S. 224, Regular Session 1943 (Gen. Acts of 1943, p. 375) as amended which provides for the payment of extra compensation to election officers serving at elections which are conducted in whole or in part by voting machines.

Committee on Finance and Taxation.

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 90. To fix the time for canvassing returns of general elections; amending Code of Alabama 1940, Title 17, Section 199.

Committee on Privileges and Elections.

By Messrs Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 91. Relating to elections; to amend Code of Alabama 1940, Title 17, Section 197 in relation to the time when the statement of votes and the poll list must be delivered by the returning officer of the precinct to the returning officer of the county.

Committee on Privileges and Elections.

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 92. Relating to elections; to amend further Code of Alabama 1940, Title 17, Section 145, in relation to the number of signatures required on petitions for persons to become independent candidates before such person's name may be put on the ballot.

Committee on Privileges and Elections.

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 93. Relating to suffrage and elections; authorizing and providing for registration of certain absentee electors by mail.

Committee on Privileges and Elections.

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 94. Relating to elections; amending Code of Alabama, title 17, section 149 so as to provide for discontinuance of political party emblems and to define the term political party.

Committee on Privileges and Elections.

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 95. Relating to the conduct of elections; specifically providing that only one poll list shall be made at each place of voting in any election, primary, general, special or municipal; regulating the making of such list; providing that certain phrases when used in the election laws of this state shall refer to and mean the list made at each place of voting, as required by this Act; and repealing the provisions of certain laws which conflict with this Act.

Committee on Privileges and Elections.

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 96. Relating to elections; to regulate further the number, manner of appointment and qualification of poll watchers at voting places in primary, general, special and municipal elections.

Committee on Privileges and Elections.

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 97. Relating to election officials; further regulating and providing for the appointments, duties and compensation of certain officials for primary, general, special and municipal elections; specifically reducing the number of such officials to be appointed when paper ballots are used; and repealing conflicting laws and parts of laws.

Committee on Finance and Taxation.

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 98. Proposing an amendment to the Constitution of Alabama providing for the registration of electors by mail.

Committee on Privileges and Elections.

The above Bill was read a first time at length as required by the Constitution.

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 99. To amend further Act No. 531, S. 101, approved September 30, 1947 (General Acts 1947, p. 388) relating to the compensation of registrars, so as to make further provisions respecting payment of such compensation.

Committee on Finance and Taxation.

By Messrs. Turner, Torbert, Engel and Goodwyn:

S. 100. Providing further for the regulation of transportation companies and public utilities; establishing and providing for a state department of transportation and utilities, a board to be known as the Alabama board of transportation and utilities, and the offices of administrator of transportation and utilities and of executive assistant to such administrator; providing that such department shall be in charge of an administrator who shall be appointed by and serve at the pleasure of and whose actions shall be supervised and controlled by a legislative committee on transportation and utilities, which is hereby created and provided for; prescribing the qualifications, powers, duties, and compensation of the administrator; providing for the appointment of the board of transportation and utilities, and prescribing the powers, duties and authority of such board; prescribing the qualifications, compensation, term of office and duties of the members of such board; prescribing certain procedures for rule, order and decision making by the board of transportation and utilities, regulating hearings before such board, and providing for appeals from its orders, determinations, rules and regulations; abolishing the Alabama Public Service Commission and transferring the functions, funds, personnel, records, equipment, furniture, fixtures and other property and effects, some to the department of transportation and utilities and some to the board.

Committee on Public Buildings and Grounds.

By Messrs. Torbert, Turner and Engel:

S. 101. To amend the Securities Act of Alabama (Acts 1959, v. 2, p. 1318, et seq., Act No. 542, Regular Session 1959) so as to make further provisions relating to the registration of securities dealers and salesmen and the registration and sale of securities.

Committee on Corporations.

By Messrs. Torbert, Turner and Engel:

S. 102. To abolish the office of Securities Commissioner of Alabama and create in lieu thereof the Alabama Securities Commission; to provide for the appointment, powers, duties, authority, term of office and comepnsation of members of the Alabama Securities Commission; to provide for the appointment of a director of the Securities Commission and to prescribe his qualifications, powers, duties, authority and compensation; to authorize and provide for the employment of a deputy director and other necessary personnel; and to transfer the authority, powers, duties, rights, privileges and immunities heretofore vested in the Securities Commissioner, along with the records, files, furniture and equipment appertaining to such office and any unexpended funds appropriated for the salary of such Commissioner and his assistants and the expenses of administering the Alabama securities law to the Alabama Securities Commission.

Committee on Corporations.

By Messrs. Turner and Torbert:

S. 103. Concerning procedure of state administrative agencies and review of their determinations.

Committee on Public Buildings and Grounds.

By Messrs. Radney, Turner and Engel:

S. 104. To amend Code of Alabama 1940, Title 49, Sections 78, 85, and 89, to increase the maximum age for children in the care or custody of individuals or institutions supervised by the state board of public welfare.

Committee on Judiciary.

By Messrs. Radney, Turner and Engel:

S. 105. To amend further Code of Alabama 1940, Title 52, Sections 590 and 591, so as to raise the age of the boys who may be committed to, received and cared and provided for at the Alabama Boys Industrial School.

Committee on Judiciary.

By Messrs. Radney, Turner and Engel:

S. 106. To amend Code of Alabama 1940, Title 13, Chapter 7, which relates to juvenile courts, so as to raise the maximum age for juvenile court jurisdiction and to revise certain of the rules relative to process of and procedures in such courts; amending Sections 350, 352, 353, 359, 360, 362, 363, 366, and 367.

Committee on Judiciary.

By Messrs. Torbert, Turner and Engel:

S. 107. To regulate further sales of bonds and other interest-bearing securities issued by the state and its political sub-divisions and the instrumentalities of the state and the political sub-divisions thereof: Requiring such securities to be sold at public sale and regulating publication of the notices of such sales.

Committee on Corporations.

By Messrs. Turner, Clark, Pierce, Cooper, Torbert, Engel, Gilmore, Oden and Goodwyn:

S. 108. To amend Code of Alabama 1940, Title 35, Section 102, which provides exemptions from state toll bridge and tunnel fees, and automobile fees to certain members of the state militia, so as to extend the exemption relative to automobile fees to noncommissioned officers and enlisted men in the active national guard of Alabama.

Committee on Public Buildings and Grounds.

By Mr. Turner:

S. 109. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Montgomery Institute of Neurological Development for the operation and maintenance of the school.

Committee on Finance and Taxation.

By Mr. Turner:

S. 110. To amend further Section 89 of Title 36, Code of Alabama (1940), as amended, which limits the size and weight limits of motor vehicles and loads, and prescribes exemptions therefrom.

Committee on Public Buildings and Grounds.

By Messrs. Turner and Folsom:

S. 111. To provide for and authorize the incorporation of districts, as public corporations of the State of Alabama, by any two or more incorporated cities, towns or villages in the State of Alabama for the purpose of acquiring, constructing, owning, operating and financing any one or more of systems for providing telephone and other communication services to the public by the transmission of signal, picture, voice and sounds of all kind; to provide for the approval, execution, filing, recording and amendment of the certificate of incorporation of such districts and the dissolution thereof; to grant powers to such districts, including the power of eminent domain, and to provide the means of exercising such powers; to provide for a board of directors and officers to exercise the powers and direct the affairs of such districts; to authorize such districts to issue and sell bonds payable solely from the revenues of its system or systems; to provide for the execution and delivery by such districts of mortgages, deeds of trust and other instruments of security for the benefit of the holders of such bonds; to provide for the remedies and rights available to the holders of the bonds; to provide that the property and income of such districts and any such district itself shall be exempt from all state, county, municipal and other taxation in the State of Alabama, including, without limitation, privilege and license taxation; to provide that the bonds of such districts and the interest thereon shall be tax exempt; to provide that deeds, mortgages, trust indentures and other instruments of, by, or to such districts shall be tax exempt; to provide for the use and utilization and distribution of the revenues of the systems of such districts; to exempt such districts from the jurisdiction and control of the Public Service Commission and all other regulatory bodies and agencies of the State; to regulate the use of the proceeds of sale of any such bonds; to regulate the duplication of existing privately owned systems furnishing the same services and to provide for the acquisition thereof by such districts; to provide for the use of the public roads by such districts; and to make provisions with respect to the acquisition, construction, maintenance, operation and fi-

nancing of a system or systems by such districts, as a public corporation of the State of Alabama:

Committee on Public Buildings and Grounds.

By Mr. Turner:

S. 112. To create the office of Supernumerary Probate Judge in the various counties of Alabama; prescribing the qualifications, term, duties, powers, authority, compensation or salary of such judge, and providing for the payment of the compensation or salary of any county Supernumerary Probate Judge.

Committee on Judiciary.

By Mr. Turner:

S. 113. To amend Section 184, Title 39, Code of Alabama 1940, as amended, relating to Sundays and holidays so as to provide for the observance of certain legal public holidays on Mondays.

Committee on Public Buildings and Grounds.

By Mr. Turner:

S. 114. Relating to newspaper carriers; to make it unlawful to defraud a newsboy, and to provide penalties therefor.

Committee on Public Buildings and Grounds.

By Mr. Turner:

S. 115. To provide for participation by the State of Alabama in the National Guard Mutual Assistance Compact, and to enact the terms and provisions thereof as the law of this State.

Committee on Public Buildings and Grounds.

By Mr. Turner:

S. 116. Relating to counties having populations of not less than 14,900 nor more than 15,200; amending Act No. 122, H. 91, approved March 29, 1965 (Acts of Alabama, First Special Session 1965, p. 175).

Committee on Local Legislation No. 1.

By Messrs. Goodwyn, Pierce, Radney, Branyon, Givhan, McCarley, Hawkins, Leonard, Bailes, Folsom, Vacca, Childs, Skidmore, and Turner:

S. 117. To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in the various counties of the State of Alabama, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

Committee on Judiciary.

By Mr. Goodwyn:

S. 118. Providing for wire interception and the interception of oral communications.

Committee on Judiciary.

By Messrs. Goodwyn, Childs, Pierce, Radney, Branyon, McCarley, Hawkins, Leonard, Bailes, Folsom, Vacca, Skidmore and Turner:

S. 119. To amend Sections 5 and 6 of Title 7, Code of Alabama, 1940, in relation to papers to be recorded on filing and when record used on trial of cause.

Committee on Judiciary.

By Mr. Goodwyn:

S. 120. To Repeal Title 15, Section 137, Code of Alabama, 1940, as amended.

Committee on Judiciary.

By Mr. Goodwyn:

S. 121. To Repeal Title 15, Section 136, Code of Alabama, 1940, as amended.

Committee on Judiciary.

By Mr. Goodwyn:

S. 122. To Repeal Title 15, Section 135, Code of Alabama, 1940, as amended.

Committtee on Judiciary.

By Mr. Goodwyn:

S. 123. Providing for the admissibility of confessions and the evidence of eye witness testimony in criminal cases.

Committtee on Judiciary.

By Messrs. Goodwyn and Vacca:

S. 124. To further provide for supernumerary district attorneys.

Committtee on Judiciary.

By Messrs. Goodwyn and Vacca:

S. 125. Pertaining to the salaries, tenure and removal of supernumerary district attorneys.

Committee on Judiciary.

By Mr. Pierce:

S. 126. To levy a license fee on Certified Public Accountants engaged in the practice of Public Accounting in the State of Alabama and to provide for the disposition of funds.

Committee on Finance and Taxation.

By Messrs. Lolley, Adams, Giles, Cooper, Turner, Givhan, Skidmore, Stone, Lindsey, Albea, Jackson, Harris and Engel:

S. 127. To amend Code of Alabama Title 48, Section 88 in relation to the effect of supersedeas bond on appeals from orders of the Alabama public service commission.

Committtee on Judiciary.

By Mr. Lolley:

S. 128. Making an appropriation from the state treasury for the relief of G. W. Hardwick of Enterprise, Alabama.

Committee on Finance and Taxation.

By Mr. Clark:

S. 129. To amend Title 7, Section 727, et seq., of the Code of Alabama of 1940 so as to provide for the redemption of real estate within one year after sale under execution or by virtue of any decree in the Circuit Court or under any deed of trust or power of sale in a mortgage.

Committee on Judiciary.

By Messrs. Lindsey, McDermott, Giles, Clark, Radney, Pierce, O'Bannon, Torbert, Nabors, Folsom, Harris, Engel, Turner, Goodwyn, Skidmore, Leonard, McCarley, Branyon, Jackson, Dominick, Hawkins and Childs:

S. 130. To make further provisions respecting distribution to municipalities, under Act No. 224 adopted at the 1967 Special Session of the Legislature of Alabama, of that portion allocated to municipalities under the said Act No. 224 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Sections 5 and 7 of the said Act No. 224, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities under Section 5 of the said Act No. 224 that have not yet been distributed to the said municipalities.

Committee on Finance and Taxation.

By Mr. McDermott:

S. 131. To amend Sections 1, 6, and 9 of Act 217, Senate 23, page 259, Volume 1, Acts of Alabama, 1967, enacted at the 1967 Special Session of the Legislature of Alabama, as amended, relating to competitive bidding in the expenditure of public funds.

Committee on Finance and Taxation.

By Mr. Giles:

S. 132. Relating to cities having a population of not less than 12,000 according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

Committee on Municipalities and
Municipal Organizations.

By Mr. McDermott:

S. 133. To require persons or owners to make affidavit as to the location of their legal residence upon registering and returning and assessing motor vehicles for ad valorem taxes; prescribing penalties.

Committee on Municipalities and
Municipal Organizations.

By Mr. Radney:

S. 134. To provide for the depositing of a valid Driver License in lieu of bail for violation of certain traffic laws of incorporated municipalities.

Committee on Municipalities and Municipal Organizations.

By Mr. Radney:

S. 135. To amend Section 455, Title 37, Code of Alabama 1940.

Committee on Municipalities and Municipal Organizations.

By Mr. Radney:

S. 136. To amend Section 586, Title 37, Code of Alabama 1940.

Committee on Municipalities and Municipal Organizations.

By Mr. Radney:

S. 137. To amend further Section 587, Title 37, Code of Alabama 1940, as amended, relating to appeals from recorder's courts.

Committee on Municipalities and Municipal Organizations.

By Mr. Radney:

S. 138. To authorize the governing bodies of municipal corporations of this state to elect a deputy recorder or deputy recorders; such deputy recorders, when so elected and serving, shall have and possess the identical power and authority granted by law to recorders; providing for the term of office and salary of such deputy recorders.

Committee on Municipalities and Municipal Organizations.

By Mr. Giles:

S. 139. To authorize political subdivisions to enter into agreements for joint or cooperative action between themselves, a state or the United States and prescribing the procedures therefor.

Committee on Municipalities and Municipal Organizations.

By Mr. Giles:

S. 140. To provide an additional, alternative procedure whereby cities and towns may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

Committee on Municipalities and Municipal Organizations.

By Mr. Giles:

S. 141. To amend further Section 462, Title 37, Code of Alabama 1940, as amended, relating to the publication and recording of ordinances.

Committee on Municipalities and Municipal Organizations.

By Mr. McDermott:

S. 142. To abolish primary elections of political parties in the cities and towns of 300,000 population or less which are organized under a commission form of government; and to repeal conflicting laws.

Committee on Municipalities and Municipal Organizations.

By Mr. McDermott:

S. 143. To provide for the payment of costs and expenses of primary elections of political parties in cities and towns of this state which have a population of 300,000 inhabitants or less, according to the latest federal decennial census, which are organized under a commission form of government; and to repeal conflicting laws.

Committee on Municipalities and Municipal Organizations.

By Mr. McDermott:

S. 144. To abolish primary elections of political parties in the cities and towns of this State, except those cities and towns which are organized under a commission form of government; and to repeal conflicting laws:

Committee on Municipalities and Municipal Organizations.

By Mr. McDermott:

S. 145. To provide for the payment of costs and expenses of primary elections of political parties in the cities and towns of this State, except those cities and towns which are organized under a commission form of government; and to repeal conflicting laws.

Committee on Municipalities and Municipal Organizations.

By Mr. McDermott:

S. 146. To authorize a qualification fee for all candidates in municipal elections held in this state, prescribing the manner and time of the fixing of such fees and imposing a limit in the amount thereof.

Committee on Municipalities and Municipal Organizations.

By Mr. McDermott:

S. 147. To amend Section 772 of Title 37, Code of Alabama 1940.

Committee on Municipalities and Municipal Organizations.

By Mr. McDermott:

S. 148. To amend further Section 773, Title 37, Code of Alabama 1940, as amended.

Committee on Municipalities and Municipal Organizations.

By Mr. McDermott:

S. 149. To amend Section 774, Title 37, Code of Alabama 1940.

Committee on Municipalities and Municipal Organizations.

By Mr. McDermott:

S. 150. To amend Section 776 of Title 37, Code of Alabama 1940.

Committee on Municipalities and Municipal Organizations.

By Mr. McDermott:

S. 151. To amend Section 777, Title 37, Code of Alabama 1940.

Committee on Municipalities and Municipal Organizations.

By Mr. McDermott:

S. 152. To amend further Section 778, Title 37, Code of Alabama 1940, as amended.

Committee on Municipalities and Municipal Organizations.

By Mr. McDermott:

S. 153. To amend further Section 188 of Title 37 of the Code of Alabama, 1940, as amended by Act Number 642, Acts of the Legislature of Alabama, 1947 (General Acts Alabama 1947, page 495), which relates to mode of consolidating contiguous municipalities.

Committee on Municipalities and Municipal Organizations.

By Mr. McDermott:

S. 154. To amend Section 156, Title 41, Code of Alabama 1940.

Committee on Municipalities and Municipal Organizations.

By Mr. McDermott:

S. 155. To amend Section 13 of Title 37, Code of Alabama 1940.

Committee on Municipalities and Municipal Organizations.

By Mr. Giles:

S. 156. To amend further Section 10, Title 37, Code of Alabama 1940, as amended, relating to the incorporation of municipalities.

Committee on Municipalities and Municipal Organizations.

By Mr. McDermott:

S. 157. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

Committee on Municipalities and Municipal Organizations.

By Mr. McDermott:

S. 158. To confer on each municipality in the state the power to acquire and develop industrial parks and to expend moneys for such purpose, and the power to sell property forming a part of an industrial park for not less than the reasonable market value of the property so sold as established by independent appraisals.

Committee on Municipalities and Municipal Organizations.

By Mr. McDermott:

S. 159. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Committee on Municipalities and Municipal Organizations.

By Mr. McDermott:

S. 160. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

Committee on Municipalities and Municipal Organizations.

By Mr. McDermott:

S. 161. To propose an amendment to the Constitution relative to the method of adopting amendments to the Constitution.

Committee on Constitution and Constitutional Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Mr. McDermott:

S. 162. To amend Sections 1 and 3 of Act 859 enacted at the 1953 Regular Session of the Legislature of Alabama, which Act relates to the validation prior to their issuance of bonds, warrants, certificates of indebtedness and notes of public corporations and public bodies.

Committee on Municipalities and Municipal Organizations.

By Mr. McDermott:

S. 163. To amend Sections 169 and 171 of Title 7 of the Alabama Code (1940) which sections relate to the validation prior to their issuance of Bonds, Certificates of Indebtedness and Time Warrants which mature more than one year from their respective dates, issued by counties, cities, towns, villages, districts or other political subdivisions in the State of Alabama.

Committee on Municipalities and Municipal Organizations.

By Mr. McDermott:

S. 164. To amend Section 9 of Act No. 762 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to eliminate the limitation on the rate of interest that may be borne by bonds of a gas district organized under the said Act.

Committee on Municipalities and Municipal Organizations.

By Mr. McDermott:

S. 165. To amend Section 336 of Title 37 of the Alabama Code (1940) which section relates to waterworks, sewer, gas and electric Revenue Bonds.

Committee on Municipalities and Municipal Organizations.

By Mr. McDermott:

S. 166. To amend Section 7 of Act No. 775 enacted at the 1951 Regular Session of the Legislature of Alabama; which Act relates to Boards of Water and Sewer Commissioners.

Committee on Municipalities and Municipal Organizations.

By Messrs. Engel, Gilmore, Pierce, Nabors, Hawkins, Childs, Dominick, Albea, Vacca, Bailes, Morrow, McDermott, Harris, Pelham, Torbert and Giles:

S. 167. To repeal Code of Alabama 1940, Title 52, Sections 210 through 214, all of which relate to figures and calculations to be used for the purpose of distributing the minimum program fund.

Committee on Finance and Taxation.

By Messrs. Engel and McDermott:

S. 168. To amend Section 254 of Title 13 of the Code of Alabama of 1940 which relates to the appointment and compensation of Deputy Solicitors or Deputy District Attorneys of the Thirteenth Judicial Circuit.

Committee on Finance and Taxation.

By Mr. Skidmore:

S. 169. To amend Code of Alabama 1940, Title 7, Section 165, relating to court costs in actions for declaratory judgments, so as to provide further for the assessment of attorneys' fees in certain cases involving policies of casualty insurance.

Committee on Judiciary.

By Messrs. Jackson, Branyon, Pierce, McCarley, Leonard, Lolley, Clark, Adams, Givhan, Pelham, McDermott, Engel, Childs, Bailes, Hawkins, Vacca, Torbert, Turner, Folsom, Carr, Lindsey, Giles, Gilmore and Oden:

S. 170. To require the teaching of Bible history in all public high schools in this state; to provide for instructors of such courses; to repeal conflicting laws and specifically to repeal and supersede conflicting provisions of Sections 322 and 408 of Title 52, Code of Alabama 1940, as amended, to the extent of such conflict.

Committee on Public Buildings and Grounds.

By Mr. Jackson:

S. 171. Providing for the distribution of fines and forfeitures from convictions in certain traffic violations in counties which now have a population of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Jackson:

S. 172. Relating to all counties having populations of not less than 32,200 nor more than 35,000 according to the most recent federal decennial census fixing the salaries of the chairman and members of the board of revenue, court of county commissioners or other like county governing body in such counties; providing when the provisions of this act shall become effective; and repealing conflicting laws.

Committee on Local Legislation No. 1.

By Mr. Jackson:

S. 173. Relating to all counties having populations of not less than 32,200 nor more than 35,000 according to the most recent federal decennial census, providing expense allowances for the chairman and members of the board of revenue, court of county commissioners or other like county governing body in such counties; repealing conflicting laws.

Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Bank:

H. J. R. 7. WHEREAS Jerrie Lybrand, wife of our esteemed colleague Representative Fred R. Lybrand of Calhoun County, has been selected for the Distinguished Young Woman Award by the Anniston Jaycettes, and

WHEREAS this fine young lady has set an outstanding example for young womanhood in the entire United States, and

WHEREAS she has reflected credit upon her community and the State of Alabama;

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby commend Mrs. Lybrand for receiving this much deserved award, from an outstanding civic organization, and express our heartiest congratulations to her, her husband and her three fine children.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mrs. Lybrand.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Albea, the Rules were suspended and the Resolution, H.J.R. 7, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Culver, Brown, Bank, Robertson and Weeks:

H. J. R. 8. WHEREAS, the American Legion, the world's largest organization of war veterans, is now observing its 50th Anniversary year in the United States and in its foreign Posts; and

WHEREAS, a distinguished son of Alabama and one of the most devoted members of the Alabama Department of the American Legion, Lewis E. McCray, of Tuscaloosa, is serving as National Vice Commander of the American Legion, the highest Legion rank ever achieved by an Alabamian; and,

WHEREAS, Lewis E. McCray, through his service in the National ranks of the American Legion and in many other fields of civic endeavor, has brought great credit to the state of Alabama; and

WHEREAS, few members in the history of the American Legion can match the record of Lewis E. McCray in having served as Post Commander, District Commander, Area Commander, Senior Vice Commander, Department Commander, Member of National Publication Commission, Vice Chairman of National Legislative Commission, member of Civil Defense Committee of National Security Commission and Chairman of Boys State Committee;

NOW BE IT RESOLVED, that the Legislature of Alabama, with both Houses concurring, commend Lewis E. McCray for his outstanding achievements and for his unselfish service to the Alabama Department of the American Legion and the State of Alabama; and

BE IT RESOLVED, that the Legislature take cognizance of the important role of the American Legion in the civic life of Alabama during this, the Legion's 50th Anniversary year, and that this Legislature pay due respect to the living and deceased war veterans of Alabama; and

BE IT FURTHER RESOLVED, that Lewis E. McCray be invited to address the Legislature of Alabama on behalf of the veterans of Alabama, and the American Legion in particular, as an expression of Alabama's gratitude to the Alabama veterans and to the American Legion, and as an expression of Alabama's appreciation for the notable achievements of Lewis E. McCray in the national affairs of the American Legion; and

BE IT FURTHER RESOLVED, that the day of Vice Commander McCray's appearing be declared American Legion Day and that all Past Department Commanders and all present Department Officers of the American Legion be invited to attend as guests of the Alabama Legislature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, H.J.R. 8, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 4. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that during the two weeks recess of the House and Senate, the necessary clerical personnel in each House will be retained to check the Registers and Journals and file material for the Special Session, at the discretion of the Clerk of the House and the Secretary of the Senate.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, HJR 4, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 3. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a Committee of three members of the House, to be named by the Speaker of the House and two members of the Senate, to be named by the presiding officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business; and

BE IT FURTHER RESOLVED THAT said Committee ascertain from His Excellency if he desires to address a joint session of the Legislature and if he does desire to address a joint session, to further ascertain the time most suitable to him for such address.

And the Speaker of the House named as a Committee on the part of the House Messrs. Neville, Merrill and Cook (Jefferson).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, HJR 3, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

And the Presiding Officer appointed as committee on part of the Senate Messrs. Cooper and Nabors.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Neville:

H. J. R. 1. WHEREAS, the coming of tomorrow, May 7, 1969, marks the first anniversary of the death of the beloved former Governor of the State of Alabama, Lurleen Burns Wallace, and

WHEREAS, this Legislature wishes to pay appropriate tribute and respect to the memory of this great lady and devoted servant of the people of the State of Alabama, and

WHEREAS, her love and compassion for the people of Alabama was only exceeded by the self-same love and affection returned by them to her, and

WHEREAS, her works and deeds during her lifetime have left eternal monuments to her memory in the minds and hearts of all Alabamians, and

WHEREAS, this Legislature is ever mindful of her appearance before this body and of the programs and proposals sponsored by her on behalf of our less fortunate fellowmen, and

WHEREAS, seeking an appropriate means whereby to eulogize her memory on this occasion we do deem the recent address of the Honorable T. B. Hill, Jr., imminent lawyer and citizen of the state, delivered before the annual convention of the National Guard Association of Alabama to be a most eloquent and appealing memorial to her life and actions, such address being in words and form as follows:

EULOGY OF GOVERNOR LURLEEN BURNS WALLACE

Delivered by Thomas B. Hill, Jr., April 13, 1969
At Annual Meeting of Alabama National Guard Association

General Hardin, Members of the National Guard Association of Alabama, Ladies and Gentlemen:

You have conferred upon me a deeply appreciated privilege and a cherished honor, by your invitation extended to me to be with you on this occasion, and to eulogize the memory of your late Commander-in-Chief, the revered and lamented Governor Lurleen Burns Wallace.

She has been gone from us now almost a year, but all of us recall, I am sure, the fateful morning of her departure, the 7th day of May, 1968, when it seemed as if a pall of quiescent sorrow had settled like a cloud over our beloved State. I cannot recall any occasion which generated a more universal atmosphere of grief and sadness among our people than did the announcement of her pass-

ing. Seemingly from every lip came, in hushed and muffled tones, the sad exclamation: "Governor Lurleen is dead".

To those of us who had known her, either personally, or through her activities as Chief Executive of our State, and who had come to admire and respect her, as did all with whom she came in contact, it seemed incredible that she had passed from us forever, that no more would we be privileged to see her sweet and smiling countenance or hear her learned and discerning dissertations and discussions of matters of vital interest to our people and our State; we could not bring ourselves to believe that she had "left the shore touched by the mysterious sea that never yet has borne on any wave the image of a homeward sail." And, as the shock of the heart-rending news of her death permeated into the far corners and regions of our State, and our people were awakened to the full realization of the tragic loss we had sustained in her untimely death, the great human heart of Alabama was weeping for one of its finest and best-loved citizens.

Lurleen Burns Wallace was born in Tuscaloosa County, Alabama, on September 19, 1926, the daughter of Estelle B. and Henry Morgan Burns. Her parents were of modest means, and little did they realize that they had on that day brought forth a daughter who would one day reflect great honor upon them, reach the pinnacle of political success as the first member of her sex to occupy the exalted office of Governor of Alabama, and upon her passing leave in the minds and hearts of her people in Alabama a cherished memory which would be the envy of all men.

She received her elementary and primary education in the public schools of Tuscaloosa County. She graduated from Tuscaloosa Business College in 1942, and on May 22, 1943, she became the bride of a young law student who was destined to become a great and steadfast American, George Corley Wallace of Alabama. There are four children of that union, Bobbie Jo (Parsons), Peggy Sue, George Corley, Jr., and Janie Lee. It was not alone as Chief Executive of our State but, also, her role as wife and mother that truly qualified her for the title of Alabama's First Lady. To the amazement and consternation of her political opposition and detractors, who, in their efforts to defeat her in her race for the Governorship, proclaimed long and loud that she would provide no leadership as Governor of the State, she responded to their jeers and mockery by displaying tremendous qualities of leadership and statesmanship. Her speeches and addresses to the Legislature and to the people of Alabama over radio and television demonstrated a broad and comprehensive understanding of the affairs of state; and, they were delivered in a gracious and convincing manner, confounding her opposition and earning in her own right universal admiration and respect for her capability.

Her meteoric rise from housewife to the Governorship of Alabama is a true exemplification of one of the facets that has made America the great nation that it is today, by demonstrating that no goal or objective is beyond the reach of any private citizen of this land who has the will and determination to achieve it.

And then, without warning, she was stricken with a recurrence of the malignancy which had appeared several years earlier, and from which she had been assured there had been a full and com-

plete recovery. She bore with great courage and fortitude the severe and painful surgery and subsequent treatments which it was hoped, though in vain, would effectively eliminate the dreadful disease. But, the long struggle against the inexorable advances of the insidious and mortal malady was more than she could bear. She did not falter or repine; and, when the pallid messenger with the inverted torch beckoned her to depart, she bravely and courageously passed into the Undiscovered Country. The fight had been long and arduous, and it had taken a terrific toll of her physical strength and vigor; and, I am sure that, as she lay there, in the peace and quiet of imminent and impending death, her thoughts were those so beautifully expressed by Robert W. Service, when he said:

"Master, I've filled my contract, wrought in Thy many lands; not by my sins wilt Thou judge me, but by the work of my hands. Master, I've done Thy bidding, and the light is low in the West; And the long, long shift is over. Master, I've earned it, rest."

In these troublous times, when we are living so fast and furiously, we give little thought or heed to the perplexing mysteries of life and death. It is only when we are suddenly stricken by the departure from our midst of one who is near and dear to us that we pause to think, and ask the question: "What is life, and what is this thing called death?"

I believe it was Ingersoll who defined life as:

"A narrow vale between the cold and barren peaks of two eternities. We strive in vain to look beyond the heights. We cry aloud, and the only answer is the echo of our wailing cry. From the voiceless lips of the unreplying dead, there comes no word; but, in the night of death, hope sees a star and listening love can hear the rustle of a wing."

And, in our sorrow, there comes to mind the question so beautifully expressed by Senator Ingalls in his eulogy of Senator Ben Hill of Georgia, which, with slight paraphrasing, we might well and appropriately apply to the passing of Governor Lurleen Wallace:

"Whether her going thither was but one step across an imperceptible frontier, or whether an interminable ocean, black, unfluctuating, and voiceless, stretches between these earthly coasts and those invisible shores,—and we do not know.

Whether on that May morning after death she saw a more glorious sunrise with unimaginable splendor above a celestial horizon, or whether her apathetic and unconscious ashes still sleep in cold obstruction and insensible oblivion,—and we do not know.

Whether her strong and capable, but gracious energies found instant exercise in another arena, or whether her powers were dissipated and dispersed with her parting breath—we do not know.

These are the unsolved, the insoluble problems of mortal life and human destiny which prompted the troubled patriarch of old to ask that momentous question, for which the centuries have given no answer: "If a man die, shall he live again?"

And, as we blindly seek an answer to the seemingly insoluble question, we derive much comfort from the thoughts and observations of the Great Commoner, William Jennings Bryan, in one of his lectures on immortality:

"If the Father deigns to touch, with Divine Power, the cold and pulseless heart of the buried acorn to make it burst forth from its prison walls, will He leave neglected in the earth, the soul of man, made in the image of his Creator? If He stoops to give the rose-bush, whose withered blossoms float upon the autumn breeze, the sweet assurance of another springtime, will He refuse the words of hope to the sons of men when the frosts of winter come? If matter's multitude of forms can never die, will the spirit of man suffer annihilation when it has paid a brief visit like a royal guest, to this tenement of clay? No, I am as sure there is another life as I am that I live today."

In these beautiful words, the Great Commoner has given expression to that comforting tenet of the Christian Faith, from which those of us who are left behind can derive so much solace and consolation, in the confident conviction that we shall be separated only for just a little while from our loved ones who have gone on before; that:

"They are not gone who pass
Beyond the clasp of hand,
Out from the strong embrace;
They are but come so close
We need not grope with hands,
Nor look to see nor try
To catch the sound of feet;
They have put off their shoes
To softly walk by day
Within our thought, to tread
At night, our dream-led paths
Of sleep.

"They are not lost who find
The sunset gate, the goal
Of all the weary years.
Not lost are they who reach
The summit of their climb,
The peak above the clouds
And storms. They are not lost
Who find the light of sun
And stars and God.

"They are not dead who live
In hearts they leave behind,
In those whom they have blessed.
They live a life again,
And shall live through the years
Eternal life, and grow
Each day more beautiful,
As time declares their good,
Forgets the rest, and proves
Their immortality."

And so we say: "For a little while, good night, Sweet Princess, may flights of angels sing thee to thy rest."

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING AS FOLLOWS:

That this eulogy be now read to this assembled body and that the contents of this Resolution and accompanying eulogy be spread upon the records of this Legislature and entered in the Acts of this Session as a preface thereto.

It is further ordered that the Clerk of the House be directed to furnish copy of this Resolution to the family of the late Governor Lurleen Burns Wallace in appropriate manner and form.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Clark, the Rules were suspended and the Resolution, HJR 1, set out in the foregoing Message from the House was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. McDonald, Starnes and Drake:

H. J. R. 5. WHEREAS, Colonel Wilbur B. Fowler served continuously and ably as a member of the Alabama National Guard for a period of more than thirty-two years, having enlisted as a private and retired with the rank of colonel;

WHEREAS, Colonel Fowler organized the first National Guard unit ever organized in Arab, and such unit was activated on February 28, 1947, with Wilbur B. Fowler as its commanding officer;

WHEREAS, this unit was called into active duty during the Korean War where it served honorably and with distinction under Commanding Officer Wilbur B. Fowler;

WHEREAS, Colonel Fowler strove always to make the unit under his command a matter of pride to the community and achieved a high degree of success in this undertaking; and

WHEREAS, Colonel Fowler was not only an excellent National Guardsman and officer, but a very valuable citizen who gave unstintingly of his time and talent to the social, civic and charitable affairs of the community; now, therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it is the consensus of this body that Fort Wilbur B. Fowler is a most appropriate name for the armory at Arab, in recognition of Colonel Fowler's outstanding work in developing the Arab National Guard unit and as a fitting tribute to him for his faithful service.

BE IT FURTHER RESOLVED that we hereby memorialize the Adjutant General of Alabama and the State Armory Commission to name and designate the armory at Arab, Alabama "Fort Wilbur B. Fowler."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, HJR 5, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. House:

H. J. R. 6.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That when the Legislature adjourns today it shall stand in recess until 12 o'clock noon May 20, 1969.

BE IT FURTHER RESOLVED That this recess shall be without pay, per diem, or expenses to the members of the Legislature other than as provided by Act No. 5 of the 1967 Special Session of the Legislature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, HJR 6, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTIONS

Messrs. Skidmore, Pierce, and Goodwyn offered the following Senate Joint Resolution, to-wit:

S. J. R. 1. WHEREAS the Honorable Bert Bank, a distinguished and well regarded member of this body, has received the Thad Holt Distinguished Broadcaster Award at the 29th annual Department of Broadcast and Film Communication banquet held at the University of Alabama on May 5, 1969; and

WHEREAS the Honorable Robert Inman, Press Secretary to the Governor, was named Distinguished Alumnus at the above mentioned banquet; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend Representative Bank and Mr. Inman for achieving the highest recognition from the members of their profession, and express our pride, and that of the people of Alabama that this professional organization has chosen to reward such deserving public servants.

On motion of Mr. Skidmore, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Torbert offered the following Senate Joint Resolution, to-wit:

S. J. R. 2. WHEREAS, 120 young people forming the Handley High Band captured the attention of contest and parade spectators and judges with their distinctive uniforms, snappy maneuvers and bouncing

music and thereby became first place winner of the marching competition for Classes 3 and 4 at the Dogwood Arts Festival recently held in Knoxville, Tennessee;

WHEREAS, in addition to winning first place in these classes in the marching competition they also won a huge trophy for the band's participation in other events at the Dogwood Arts Festival;

WHEREAS, these two Knoxville additions bring the Handley High Band's 1968-69 total of trophies to fourteen, earned in four competitions, the other twelve representing superior or first-place performances by band, drum major, flag corps and majorettes; and

WHEREAS, in winning first place for marching in Knoxville, Handley outstripped a number of bands made up entirely of senior high school students while Handley's band includes both junior and senior high school students; now, therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate Mr. Ronald Hyche, the Band Director and each member of the Handley High Band for the excellence of the band's performance, not only in Knoxville but throughout this season. We are justly proud of this outstanding band and of the fine young Alabama citizens who participate in this band; and we rejoice with them at having been accorded this signal honor, which they truly earned and richly deserve.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Mr. Ronald Hyche, a copy to the principal of Handley High School and a copy to the local newspaper.

On motion of Mr. Torbert, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Clark offered the following Senate Joint Resolution, to-wit:

S. J. R. 3. Whereas, under Senate Resolution #58 adopted September 2, 1966, certain positions of employees of the Legislature were made permanent to remain and serve after the sine die adjournment of the Legislature at the same rate of pay for such time as needed by the Chairman of the Finance and Taxation Committee, and

Whereas, such positions have been considered permanent and covered under the Employees' Retirement System of Alabama from October 1, 1966,

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN, That service rendered prior to October 1, 1966, shall be creditable in the Employees' Retirement System of Alabama upon payment of contributions which would have been made had these employees been allowed to join the Retirement System, plus regular interest to date of payment with such payments for all service rendered not to be creditable prior to 1957. Such payment shall be made within 8 months after passage of this resolution.

On motion of Mr. Clark, the Rules were suspended and the Resolution was adopted by the Senate.

ADJOURNMENT

At 2:40 P.M., on motion of Mr. Cooper, in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, May 20, 1969, at 12 o'clock Noon.

SECOND LEGISLATIVE DAY

TUESDAY, MAY 20, 1969

The Senate met pursuant to adjournment, President Pro Tempore Goodwyn presiding.

PRAYER

The Session was opened with prayer by Rabbi David A. Baylinson, Temple Beth-Or, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden	
Adams	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	Lolley	Radney	
Branyon	Gilmore	McCarley	Stone	
Carr	Givhan	McDermott	Torbert	
Childs	Goodwyn	Morrow	Turner	
Clark	Harris	Nabors	Vacca	
Cooper	Hawkins	O'Bannon		—34

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the First Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, Jr.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the First Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Mr. Skidmore for today.

MESSAGE FROM THE GOVERNOR

To the House of Representatives of Alabama
Montgomery, Alabama

House Members:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

ROBERT M. CLECKLER,
Secretary to the Governor.

MAY 20, 1969

TO THE LEGISLATURE OF ALABAMA:

As we enter the 1969 Regular Session of the Alabama Legislature I should like to once again commend you on your response to the needs of public education in Alabama during the recently concluded Special Session. I am grateful for your cooperation and work with the Governor's Office in developing and implementing a forward-looking and progressive program for all facets of public education in Alabama.

But a brief look back is all that we can afford at this time. We are faced with many perplexing problems of vital interest and concern to the people of Alabama which require our attention during this Session.

MEDICAID

Perhaps the most important and difficult of these is the implementation of the Title 19 program in Alabama which will provide comprehensive health care for hundreds of thousands of needy citizens. Our studies have indicated that the total cost of this program for the calendar year 1970 will be $106 million of which approximately $22 million will be State funds. We are required to implement this program by January 1, 1970, and the benefits must extend to all persons now eligible for public assistance benefits in our State.

There are those who will say that we should not participate, but a substantial segment of our people are without resources to meet the ever-increasing costs of medical care and services. These are our aged, infirm, blind, physically handicapped and dependent, whose needs we recognized long ago and whose medical requirements challenge all of us today.

We shall present legislation designed to provide the necessary funds for this program, and we urge your adoption of these measures, both in providing the essential funding and appropriating the necessary monies.

AIR POLLUTION

Even as we are concerned about health care and services for our medically indigent and less fortunate, so also we must be concerned about the health of all of our citizens. This Legislature is presented with a unique opportunity in this regard—the enactment of a workable, viable and strong air pollution control law to protect our citizens from the health hazards created by the discharge of pollutants into the air we breathe.

A fundamental question will be the administration of your enactment. While I recognize that the interests of all those affected by your legislation should be represented on the agency which will administer

the act, both officials of public health and industry, I insist that the public must also be represented.

HIGHWAY SAFETY

The appalling toll of deaths on our highways is another area which requires your attention. Several bills will be presented to you dealing with highway safety. We believe that the reduction of highway fatalities, personal injuries and damage to property is a two-fold undertaking: law enforcement and driver education. Our program deals with both areas.

The State Toxicologist's office advises us that the drinking of alcoholic beverages is a factor in more than half our highway fatalities. Thus, I commend to you the "implied consent law" and urge its speedy enactment. Recognizing the drinking driver as the Number One cause of highway accidents in our State, we can do no less than take every possible measure to remove this menace to the safety of our motoring public. We also are hopeful that you will authorize the extension of driver education toward the ultimate objective that it be a required course of study in all public high schools of our State.

PORNOGRAPHY

As air pollution corrupts our health, so pornography corrupts the minds of our youth. There has been offered legislation to prevent and prohibit the sale, distribution and exhibition of pornographic and salacious materials to young people eighteen years of age and younger. Unfortunately, under decisions of the United States Supreme Court we cannot ban the distribution completely, but we can prohibit by law its reaching our young people. I believe you share the common concern of our people toward this problem and that you will respond with the passage of this legislation.

STATE GOVERNMENT OPERATION

Several pieces of legislation will be offered designed not only to make for a more efficient operation of State government, but also a more economical one. You will be asked to enact into law a measure establishing a State Motor Pool. Such a pool has been in operation for a number of months under an Executive Order.

You will also be asked to create a new Division of Management Services within the Finance Department. The principal function of this agency will be to centralize and consolidate State operations in the areas of copying machines, computers, printing and photographic services. We are convinced that a more business-like approach in these areas will result in better services at a dramatically reduced cost.

GENERAL APPROPRIATIONS

The General Appropriation Bill will offer you the opportunity, with accompanying legislation, to provide for the functions of State government for the next biennium. The budget as presented will be balanced and will seek to put the State's monetary resources into the areas where the greatest service can be rendered to our people.

STATE EMPLOYEES

The savings which we have realized through a number of economies —especially the car pool and the bulk purchase of gasoline for State vehicles—have been due in large degree to the cooperation of our

splendid State employees. We have long been aware that these dedicated State workers are inadequately paid in comparison with Federal employees and persons doing like work in private industry.

If the State is to respond to the needs of her people, it must depend heavily on the personnel in State service who administer these programs. To retain competent employees and to be able to recruit the qualified personnel needed for the future, we must be competitive in salaries and other benefits which we offer. Accordingly, we shall offer legislation to provide salary increases for deserving employees as well as additional retirement and other fringe benefits.

AD VALOREM EQUALIZATION

For years we have been plagued by the sometimes real, sometimes imagined, inequities which exist in our property tax system. We all recognize that all taxpayers are not treated equally in the assessment of property for ad valorem taxes. So long as any property taxes accrue to the State Treasury (and 6½ mills now do), then each property owner in the State should pay on the same basis, the same percentage of fair market value. You will be offered legislation to effect the equalization of assessments throughout the State based on fair market value. This legislation is not designed to raise taxes but to treat each taxpayer fairly and equitably.

In the event statewide equalization cannot be accomplished, then I will join with those of you who favor removing the State from the property tax field in order that all revenues from this source may remain in the counties where collected for local services.

OTHER LEGISLATION

Legislation has been, or will be, presented to you in many other areas: Constitutional revision, election law reform, a study of the reorganization of State government to reduce the proliferation of State agencies and departments and the fragmentation of services, statutory authorization of the Program Development Office so critical to the future development of Alabama, meat inspection legislation, unemployment and Workmen's Compensation benefits, annual sessions of the Legislature, legislation providing for payment of the prevailing wage on State construction contracts, a code of ethics for government employees and officials, and desperately needed protection for the borrowing public against the unscrupulous tactics and practices of unethical lenders. These measures deserve your careful study and attention and merit your support during this Session.

Probably no Regular Session in our history of our State has offered so many challenges and opportunities for those of us in public service. You have proven your dedication, and I pledge to continue the close personal working relationship on the part of the Governor's Office with you to the end that we may realistically face these problems and, facing them in a constructive manner, solve them.

Respectfully submitted,

ALBERT P. BREWER,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, was read and ordered spread upon the Journal.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Giles:

S. 174. To provide for the creation and operation of a Board of the State of Alabama to be known as the Beautification Board of the State of Alabama; providing for the appointment of said Board; setting out the qualifications of members; determining the method of filling vacancies; providing for the organization of the Board and for meetings and setting out the powers and duties of the Board.

Committee on Judiciary.

By Mr. Giles:

S. 175. To provide for the control of air pollution within the State of Alabama; to create and establish the Alabama Air Pollution Control Commission; to authorize the creation of county and municipal air pollution control commissions; to prescribe the jurisdiction, powers, and duties and functions of the Alabama Air Pollution Control Commission and of any county or municipal commissions created under the provisions of this act; to provide for the enforcement of the act and of the orders, rules, and regulations of commissions created under the provision of this act; to prescribe penalties and remedies for the violation of this act or for the violation of the rules, regulations, and orders of any air pollution control agency within the State; and to authorize appropriations and expenditures by state, county, and municipal authorities in furtherance of the objectives of this act.

Committee on Mining and Manufacturing.

By Mr. Giles:

S. 176. To provide for compliance with provisions of Article 3 of Title 47 of the Code of Alabama of 1940 requiring entry of partial payments of indebtedness secured by mortgage or other encumbrance on the margin of the record by the furnishing of a separate written instrument.

Committee on Judiciary.

By Mr. Giles:

S. 177. To amend subsection I of Section 204 of Title 26, Code of Alabama 1940, as last amended, so as to provide for the transfer of unemployment experience to successors of segregable portions of a business upon written application within a prescribed time limit.

Committee on Judiciary.

By Mr. Giles:

S. 178. To amend Section 9, Title 26 of the 1940 Code recompiled.

Committee on Judiciary.

By Mr. Giles:

S. 179. To amend Section 247, Title 26, Code of Alabama 1940, as amended, the same pertaining to protection against self-incrimination.

Committee on Judiciary.

By Mr. Giles:

S. 180. To amend subsection E(1) of Section 240, Title 26, Code of Alabama 1940, as amended, the same pertaining to proceedings to enforce the collection of delinquent unemployment contributions or taxes.

Committee on Judiciary.

By Mr. Giles:

S. 181. To amend subsection C of Section 240, Title 26, Code of Alabama 1940, as last amended, so as to permit the Director under certain circumstances to issue a corrected assessment.

Committee on Judiciary.

By Messrs. Giles, Jackson, Stone, Gilmore and Lolley:

S. 182. To provide for and regulate the payment of expenses of state officers and employees and persons traveling on official business for the State or any of its departments, institutions, boards, bureaus, commissions, councils, committees, and other like agencies.

Committee on Finance and Taxation.

By Messrs. Giles, Jackson, Stone, Gilmore and Lolley:

S. 183. To make an appropriation for the use of the board of adjustment for making awards to widows and dependents of certain peace or law enforcement officers and firemen killed in line of duty.

Committee on Finance and Taxation.

By Messrs. Giles, Jackson, Stone, Gilmore and Lolley:

S. 184. To amend Act 833, S. 128 Regular Session 1965 (Acts of Alabama 1965, p. 1564), an act creating the State Employees' Insurance Board so as to increase the employers maximum contribution.

Committee on Finance and Taxation.

By Messrs. Stone, Clark, Cooper, Goodwyn, Torbert, Givhan, Lindsey, Adams, Turner, Jackson, Giles, Nabors, Branyon, Lolley, Morrow, Gilmore, Oden, Radney, Pierce, Carr, Leonard, Folsom, Bailes, Hawkins, McDermott, Pelham, Engel, Childs and Vacca:

S. 185. To provide for and authorize the organization of a public corporation in the state to be named Coosa Valley Development Authority, for the purpose of furthering the development of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary; to designate the officers and members of the board of directors of the Authority; to define and describe the duties and obligations which the Authority is authorized to undertake and discharge in connection with the proposed waterway project; to prescribe the powers of the Authority; to limit and regulate the Authority's power to enter into contracts; to authorize the Authority to delegate its duties and obligations to other public corporations, agencies and departments of the state and to prescribe the conditions upon which such a delegation shall be effective; to authorize the State Docks Department to provide and maintain suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army and the Chief of Engineers; to authorize the sale and issuance of general obligation bonds of the state in aggregate principal amount not exceeding $10,000,000, the proceeds of which are to be expended by the Authority in discharging its duties and

obligations in connection with the proposed waterway project; to make provisions for the sale, execution and issuance of the said bonds; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the said bonds; to provide that the said bonds and the income therefrom shall be exempt from taxation; to authorize and direct the State Treasurer to pay the principal of and interest on the bonds from any available funds of the state; and to provide for the dissolution of the Authority.

Committee on Finance and Taxation.

By Messrs. Stone, Clark, Cooper, Goodwyn, Torbert, Givhan, Lindsey, Adams, Turner, Jackson, Giles, Nabors, Branyon, Lolley, Morrow, Gilmore, Oden, Radney, Pierce, Carr, Leonard, Folsom, Bailes, Hawkins, McDermott, Pelham, Engel, Childs and Vacca:

S. 186. To propose an amendment to the Constitution of Alabama to authorize the state to engage in works of internal improvement in connection with (1) the construction and maintenance of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary and (2) to authorize the state to issue in connection therewith interest-bearing general obligation bonds of the state in principal amount not exceeding $10,000,000; and (3) to authorize the state to establish a public corporation with the powers and resources necessary to undertake obligations authorized by this amendment to be undertaken by the state.

Committee on Finance and Taxation.

The above bill was read a first time at length as required by the Constitution.

By Mr. Oden:

S. 187. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

Committee on Judiciary.

By Mr. Oden:

S. 188. To amend Act No. 580, H. 379, Regular Session 1965 (Acts 1965, v. 2, p. 1077) further regulating purchasing by or for the use of the state highway department.

Committee on Finance and Taxation.

By Mr. Oden:

S. 189. To provide for the regulation and control of state-owned motor vehicles for official use by state officers and employees; to limit the number, cost and use of such vehicles; to provide for a transportation pool and to fix the responsibility for the maintenance and repair of vehicles therein; to establish a revolving fund for the use of the transportation pool, providing for the payment of certain fees and charges for the use of pool cars to be paid into such fund and appropriating state funds therefor; to provide for the administration and enforcement of this act and to prescribe penalties for violations; to ratify all acts of the Governor and finance director in establishing a transportation pool and to validate the transfer of funds allocated to state departments for the acquisition of automobiles to the finance department for the establishment of a transportation pool.

Committee on Finance and Taxation.

By Mr. Folsom:

S. 190. To prohibit the feeding of garbage to swine and to repeal conflicting laws, including Act No. 187, Regular Session 1953 (Acts 1953, p. 240).

Committee on Public Health.

By Mr. Folsom:

S. 191. To authorize any bank situated in the City of Cullman, or having an authorized office or place of business therein, to establish, operate and maintain branch banks or additional offices or places of business in the City of Cullman.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

NOTICE

Notice is hereby given that at the Regular Session of the Legislature of Alabama which will convene in May 1969 a Bill substantially as follows will be introduced and application for its enactment will be made, that is to say:

A BILL
TO BE ENTITLED
AN ACT

To authorize any bank situated in the City of Cullman, or having an authorized office or place of business therein, to establish, operate and maintain branch banks or additional offices or places of business in the City of Cullman.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank situated in the City of Cullman, or having an authorized office or place of business therein may, with the approval of the Superintendent of Banks of the State of Alabama, establish, maintain and operate branch banks, or additional offices or places of business for the receipt of deposits, payment of checks, making of loans, and conducting a general banking business.

Section 2. This act shall be effective upon its approval by the Governor or upon its otherwise becoming law.

PROOF OF PUBLICATION

THE STATE OF ALABAMA
CULLMAN COUNTY

Before me Sue Evans, a Notary Public in and for said County and State, personally appeared Robert Bryan, Business Manager of THE CULLMAN TIMES, a daily newspaper published in Cullman, Cullman County, Alabama, and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper once a week for four weeks successively and being in the issues of said newspaper of the following dates, viz: April 6, 13, 22, 27, 1969.

ROBERT BRYAN,
Business Manager.

Sworn to and subscribed before me this 28th day of April, 1969.

SUE EVANS,
Notary Public.

My commission expires May 21, 1972.

By Messrs. Folsom, Oden, Lolley, Givhan, Morrow, Bailes, Vacca, Hawkins, Childs, Gilmore, Adams, Lindsey, Giles, Leonard and Branyon:

S. 192. To amend Sections 1, 6, and 9 of Act 217, Senate 23, page 259, Volume 1. Acts of Alabama, 1967, enacted at the 1967 Special Session of the Legislature of Alabama, as amended, relating to competitive bidding in the expenditure of public funds.

Committee on Finance and Taxation.

By Mr. Nabors:

S. 193. Relating to elections; to change the dates for primary elections and for filing declarations of candidacy; to abolish statutory procedures for contesting primary elections and to authorize and direct the executive committees of political parties to provide by party rule for contesting such elections; to correlate other provisions of the election laws with these changes; and for these purposes amending Code of Alabama 1940, Title 17, Sections 106, 145, 340, 344, 348, 360, 373, 407, and 414 and repealing Sections 378 through 384, 386, 388, 389 and 391 of said title.

Committee on Privileges and Elections.

By Mr. Nabors:

S. 194. To authorize and provide for Minute Entries in cases appealed from a City Recorder's Court, Mayor's Court, Police Court, or any Municipal Court, to the Circuit Courts or any other Courts of Record in Alabama.

Committee on Judiciary.

By Messrs. Branyon, Givhan, Harris, Lolley and Gilmore:

S. 195. To amend further Code of Alabama, Title 22, Chapter 7, which is known as the Milk Control Board Law, so as to require the Milk Control Board to make, reduce to writing, and record in its minutes a finding of fact on which its orders are based, prior to the issuance of such orders.

Committee on Agriculture.

By Messrs. Branyon, Givhan, Harris, Lolley and Gilmore:

S. 196. To amend further Code of Alabama 1940, Title 22, Section 226, as amended, which pertains to CERTIORARI TO REVIEW, so as to provide for additional time for appeal from Mile Control Board orders.

Committee on Agriculture.

By Messrs. Branyon, Givhan, Harris, Lolley and Gilmore:

S. 197. To amend further Code of Alabama 1940, Title 22, Section 206, as amended, which pertains to "DEFINITIONS," so as to provide for the further defining of Bulk Milk Tank Driver and Bulk Milk Tank Hauler.

Committee on Agriculture.

By Messrs. Branyon, Givhan, Harris, Lolley and Gilmore:

S. 198. To amend further Code of Alabama 1940, Title 22, Section 208, as amended, which pertains to "EMPLOYEES OF THE MILK CONTROL BOARD" so as to bring said employees under the provisions of the Merit System Act.

Committee on Public Buildings and Grounds.

By Messrs. Branyon, Givhan, Harris, Lolley and Gilmore:

S. 199. To amend further Code of Alabama 1940, Title 22, Section 213, as amended, which pertains to "LICENSES TO PRODUCERS, PRODUCER-DISTRIBUTORS, STORES, MILK DEALERS, DISTRIBUTORS, BOB-TAILERS AND COOLING STATIONS," so as to bring "Bulk Milk Tank Drivers" and "Bulk Milk Tank Haulers" within the provision of said section.

Committee on Agriculture.

By Messrs. Branyon, Givhan, Harris, Lolley and Gilmore:

S. 200. To amend further Code of Alabama 1940, Title 22, Section 220, as amended, which pertains to "Executive Secretary and Financial Officer", so as to fix the maximum compensation of the Executive Secretary at $12,500 and to further require a bond in such amount as may be fixed by the Treasurer, not to exceed $12,500, as may be provided by law for public officers.

Committee on Finance and Taxation.

By Messrs. Branyon, Lolley, Carr, Jackson, Givhan, Harris and Gilmore:

S. 201. To regulate the business of buying and selling livestock by requiring persons engaged in such business to be licensed and bonded; prescribing the method for determining the amount of said bond; authorizing the Commissioner of Agriculture and Industries to promulgate rules and regulations to effectuate this act, and providing a penalty for violations.

Committee on Agriculture.

By Messrs. Branyon, Lolley, Carr, Gilmore, Jackson, Harris and Givhan:

S. 202. Authorizing the Commissioner of Agriculture and Industries, with the approval of the Board of Agriculture and Industries, to establish official grades and standards for the marketing of farm products, fish and seafoods, and to design brands, labels and trademarks in accordance therewith; providing conditions for the use of such brands, labels and trademarks; and prohibiting the misuses thereof; providing for public hearings and publication of certain notices; authorizing said Commissioner, with the approval of the Board of Agriculture and Industries, to establish rules and regulations to implement the purposes of this Act; and prescribing penalties for violations.

Committee on Agriculture.

By Messrs. Branyon, Lolley, Carr, Gilmore, Jackson, Givhan and Harris:

S. 203. To empower the Director of Conservation with authority to prohibit the importation into this State of any bird, animal, reptile, amphibian, or fish when such importations are not in the best interest of the State of Alabama; to provide regulatory authority to the Director of Conservation to implement the provisions of this Act.

Committee on Forestry and Conservation.

By Messrs. Branyon, Givhan and Adams:

S. 204. Relating to the sale of lievstock; making it a misdemeanor for any person to buy or offer to buy livestock on any public street or highway within two thousand five hundred (2,500) feet of a public livestock market and to provide for enforcement.

Committee on Agriculture.

By Mr. Morrow:

S. 205. Relating to crimes and offenses; defining certain crimes relative to credit cards, including offenses relative to obtaining, possessing, using, dealing in, forging, signing and providing goods and services upon presentation of a credit card; prescribing certain presumptions and proscribing certain defenses relative to the crimes hereby defined; prescribing penalties; and providing that this act is cumulative.

Committee on Judiciary.

By Messrs. Vacca and Bailes:

S. 206. To amend Code of Alabama 1940, Title 51, Section 15 relating to the exemption of homesteads from state ad valorem taxes, so as to provide additional exemptions for persons over sixty-five years of age.

Committee on Judiciary.

By Messrs. Vacca, Dominick, Bailes, Morrow and Hawkins:

S. 207. To provide sales and use tax exemptions for certain medicines purchased by prescription.

Committee on Finance and Taxation.

By Messrs. Vacca and Cooper:

S. 208. To promote highway safety; to authorize the director of public safety to enter into agreements with authorities in charge of federal military installations providing for and regulating the reciprocal recognition of point values assessed against drivers of motor vehicles because of violations of motor vehicle and traffic laws under the Traffic Point Systems applicable in the State of Alabama and on such installations.

Committee on Judiciary.

By Messrs. Givhan, Clark, Engel, Cooper, Adams and Goodwyn:

S. 209. To implement, when ratified, the provisions of that certain Constitutional Amendment proposed by the Legislature of Alabama in _____adopted at the 1969 Regular Session of the Legislature of Alabama and that authorizes the State, in promoting and aiding the commercial flow of agriculture products within the State or in aid of commerce and use of the waterways of the State, to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating within the State or along navigable streams and waterways now or hereafter existing within the State all manner of elevators, facilities, warehouses, docks, water and rail terminals and other structures and facilities and improvements needful for the convenient use of the same, and to incur indebtedness and issue bonds for said purpose; to implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 262 adopted at 1967 Regular Session of the Legislature of Alabama; to implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 151 adopted at the 1957 Regular Session of the Legislature of Alabama; to authorize the State to engage in such works of internal improvement at an additional cost of not exceeding $5,000,000; to designate the Alabama State Docks Department and any department or agency of the State that may succeed to its functions as the Agency to undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of said Department in connection therewith; to authorize the State to become indebted to

the extent of not exceeding $5,000,000 in principal amount to carry out the provisions of this Act and to issue its interest bearing direct general obligation bonds therefor; to prescribe in general the terms of such bonds and the method and manner of the sale and issuance thereof; to exempt the same and the interest thereon from taxation; to provide for the payment for any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide for the refunding of any bonds issued under this Act; to provide for investment of the proceeds of any bonds issued hereunder and other funds received under this Act, pending the need for such funds; to provide for the use of funds obtained from the operation of improvements constructed with proceeds of any bonds issued hereunder; to make appropriation for payment of the principal and interest on bonds issued under the 1969 Docks Amendment, the 1967 Docks Amendment and the 1957 Docks Amendment from the General Fund of the State; to provide for the acquisition of property for the purpose of this Act and for the exercise of the power of eminent domain with regard thereto; to prescribe the powers and duties of the Governor, the said Department and other officers of the State in carrying out the provisions of this Act; to authorize the said Department to fix and collect reasonable rates and charges for services rendered by, and for use of, facilities established pursuant to this Act; to require the maintenance of records of the total cost of, the gross revenues from, and the expenses of operating, each unit of development acquired, constructed, or operated pursuant to the provisions of this Act, or Act No. 264 adopted at the 1967 Regular Session of the Legislature, Act No. 311 adopted at the 1957 Regular Session of the Legislature, Act No. 98 adopted at the 1959 Regular Session of the Legislature, Act No. 716 adopted at the 1961 Regular Session of the Legislature, or Act No. 192 adopted at the 1963 Regular Session of the Legislature; and to provide that surplus revenues derived from operation of the State Docks facilities at the Port of Mobile shall be used to meet operating deficits of the facilities constructed under said 1969 Docks Amendment, said 1967 Docks Amendment, or said 1957 Docks Amendment.

Committee on Seaports.

By Messrs. Givhan, Engel, Clark, Cooper, Adams and Goodwyn:

S. 210. To propose an amendment to the Constitution of Alabama authorizing the State to engage in works of internal improvement in promoting and aiding the commercial flow of agricultural products within the State or to engage in works of internal improvement along navigable waterways within the State; authorizing the State to become indebted for not exceeding $5,000,000 aggregate principal indebtedness in connection therewith and authorizing pledge of the faith and credit of the State to secure the repayment of such indebtedness and interest thereon.

Committee on Seaports.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Givhan:

S. 211. To amend further Section 1, Act No. 11, S. 59, Regular Session 1959, as amended, an act fixing the compensation of certain officers of Dallas County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALLAS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 1, Act. No. 11, S. 59, Regular Session 1959, as amended, an act fixing the compensation of certain officers of Dallas County.

Section 1. Section 1 of Act No. 11, S. 59, Regular Session 1959, as amended, (Acts 1959 p. 416), an act to fix the compensation of certain officers of Dallas County, including the Judge of Probate, the Tax Assessor, the Tax Collector, the Sheriff, the Circuit Clerk, the Register in Chancery, and the Members of the County Governing Body other than the Probate Judge, as authorized in the Constitution of Alabama, and to provide for the payment thereof from the County Treasury, and to repeal conflicting laws.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry H. Lloyd, who, being by me first duly sworn, deposes and says that during the times herein mentioned was Business Manager of the SELMA TIMES-JOURNAL, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for 4 successive weeks, said notice having appeared in the issues of said paper on April 10, April 17, April 24, and May 1, all in the year 1969.

HENRY H. LLOYD.

Sworn to and subscribed before me 8th. day of May, 1969.

JOSEPHINE K. TIPTON,
Notary Public.

By Messrs. Givhan and Lolley:

S. 212. To amend further the Farmers Market Authority Act, Act No. 672, S. 99 of the Regular Session of 1965, (Acts of Alabama 1965, p. 1208), so as to authorize the establishment of marketing facilities for additional agricultural products, and to authorize and regulate the sales, alienation and conveyance of markets, market facilities and appurtenances thereto by the Farmers Market Authority; to fix the annual salary of the Administrator of the Farmers Market Authority; to authorize the use of funds collected for capital outlay, maintenance, repairs and operating expenses for markets; and to lengthen the period for which space or facilities at markets may be leased or contracted for; to repeal Act No. 221, H. 178, Legislature of 1969, Special Session, approved May 15, 1969.

Committee on Finance and Taxation.

By Mr. Givhan:

S. 213. To amend and re-enact Section 619(10) of Title 51 of the Code of Alabama dealing with recordation and taxation of deeds, mortgages, and instruments of like character.

Committee on Judiciary.

By Mr. McCarley:

S. 214. To withdraw and take away all authority, power, and duties of constables relative to criminal and quasi-criminal matters in all counties having populations of not less than 31,500 nor more than 35,500, according to the most recent federal decennial census; repealing conflicting laws.

Committee on Local Legislation No. 1.

By Mr. McCarley:

S. 215. Relating to retirement systems for certain county employees in all counties having populations of not less than 31,500 nor more than 35,500, according to the most recent federal decennial census; providing further for elgibility for membership in such retirement systems.

Committee on Local Legislation No. 1.

By Mr. McCarley:

S. 216. To create the office of warrant clerk in all counties having populations of not less than 31,500 nor more than 35,500 according to the most recent federal decennial census; to provide for his appointment, tenure, duties and compensation; and to repeal conflicting laws.

Committee on Judiciary.

By Mr. McCarley:

S. 217. To create a retirement system for peace officers as defined herein; to create the Board of Commissioners of the Alabama Peace Officers' Annuity and Benefit Fund and to establish the said Fund; to provide for the method of selection of the members of the said Board and their successors, and to fix their compensation; to provide for the organization and operation of the said Board and the employment of an executive director; to fix the maximum salary of such executive director, and to define his powers; to provide for the disposition of monies received by the said Fund, for the depositories therefor, and the investment thereof; to specify the powers of the said Board, and to require the maintenance of books and records; to define those eligible for benefits from the said Fund and the conditions precedent to and terms of service required for receipt of such benefits; to fix a monthly fee for each member of the said Fund and to provide for conditions of membership in the said Fund; to impose additional costs in all criminal and quasi criminal proceedings for the violation of laws of the state or municipal ordinances; to provide for the payment of such costs to the said Fund; to specify retirement, disability and death benefits for members of the said Fund and to establish the conditions precedent to the receipt of such benefits; to require that the Fund be operated on an actuarially-sound basis and that actuarial reports be regularly rendered; to provide for an adjustment of benefits in response to any such report; to provide for refunds of contributions by members; to provide for the military service and change of employment by members of the said Fund; to require semiannual reports and annual audits of the Fund; to

make all rights, annuities and benefits subject to future change by the legislature; to restrict the assignability of rights hereunder; to provide that the rights granted hereunder are cumulative to all other rights to provide for the partial invalidity of any provision hereof, to make an appropriation for payment of the expenses of the said Board; and to provide for the effective date of this Act.

Committee on Finance and Taxation.

By Mr. Radney:

S. 218. To provide for an expense allowance for each County Inferior Court Judge in this state who is required to hold court sessions at three different court houses in the county; and providing for the payment of such expense allowance out of the general fund of such counties.

Committee on Local Legislation No. 1.

By Mr. Radney:

S. 219. To alter, rearrange and fix the boundaries and corporate limits of the town of Daviston in Tallapoosa County, annexing certain territory to the town.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and fix the boundaries and corporate limits of the town of Daviston in Tallapoosa County, annexing certain territory to the town.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Daviston in Tallapoosa County are hereby fixed and described as follows, incorporating within the limits of the town all of Sections 14, 15, 16, 21, 22, 23, 26, 27 and 28 in Township 24 North, Range 24 East, Tallapoosa County, State of Alabama, to wit:

Begin at the northeast corner of Section 14 and run west along the Section line for a distance of three miles to the northwest corner of Section 16, thence south along the Section line three miles to the southwest corner of Section 28, thence east along the section line three miles to the southeast corner of Section 26, thence north along the section line three miles to the point of beginning.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, J. C. Henderson Publisher, of the Alexander City Outlook published weekly at Alexander City, Alabama, do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated January 9, 1969, and ending with the issue dated January 30, 1969.

J. C. HENDERSON.

Subscribed and sworn before me this 9th day of May, 1969.

VONCILLE M. DEAN,
Notary Public.

My commission expires January 18, 1971.

By Mr. Lindsey:

S. 220. To amend further Act No. 533, S.166, approved September 13, 1957, (Acts of Alabama, 1957 Regular Session, page 750), entitled, "An Act to create a Board to be known as the State Board of Registration for Foresters; to provide for the qualification of members of said Board; to provide for the appointment of the members of said Board; to provide for their terms of office; to provide for the organization of said Board; to provide for the powers and duties of said Board; to provide for the registration of Foresters; to provide for the recording of licenses; to provide for the definition of the practice of Forestry; to provide for the revocation of licenses; to provide for fees for the issuance and recording of such licenses; to provide for reciprocity; to create a special fund to be known as the 'Professional Foresters Fund', and to regulate expenditures therefrom; to repeal all laws in conflict with this Act; and to make an appropriation," as amended by Act No. 141, S. 108, approved September 15, 1961, (Acts of Alabama, 1961 Special Session, page 2082).

Committee on Forestry and Conservation.

By Mr. Lindsey:

S. 221. Relating to all counties having populations of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; to prescribe the qualifications of the county superintendent of education in each such county; and to regulate his compensation and expense allowances.

Committee on Local Legislation No. 1.

By Mr. Cooper:

S. 222. To amend Section 8 of Act No. 108, H.B. 152, approved August 26, 1959 (Acts 1959, v. 1., p. 615), an act relating to the practice of chiropractic so as to delete certain subjects required for examination and add other subjects upon which applicants shall be required to take a written examination.

Committee on Public Health.

By Mr. Cooper:

S. 223. To amend Section 19 of Act No. 108, H.B. 152, approved August 26, 1959 (Acts 1959, v.l., p. 618), an act relating to the practice of chiropractic so as to require the completion of fifteen hours annually of profes-

sional educational work to be approved by the state board of chiropractic examiners as a condition for the renewal of certificates of qualification to practice chiropractic.

Committee on Public Health.

By Mr. Cooper:

S. 224. To amend Title 14, Section 245, Code of Alabama 1940, which prohibits minors from playing pool in poolrooms.

Committee on Judiciary.

By Mr. Cooper:

S. 225. Relating to the destruction of public records; authorizing the state treasurer to destroy certain cancelled state warrants and the journals pertaining to such warrants; and repealing Act No. 589, H. 141, of the Regular Session of 1957 (Acts of 1957, p. 826) and all other conflicting laws.

Committee on Judiciary.

By Mr. Cooper:

S. 226. To amend Code of Alabama 1940, Title 55, Section 223, which relates to the records of the state treasurer relative to cancelled coupons on coupon bonds issued by the State so as to require and regulate the making and auditing of certain records relative to coupon bonds and the destruction of certain cancelled bonds.

Committee on Judiciary.

By Mr. Cooper:

S. 227. To provide a method for indication of the Governor's approval of vouchers or accounts payable by the State Comptroller, which require the Governor's approval, by method of certification of the department director or executive officer requesting payment.

Committee on Judiciary.

By Mr. Cooper:

S. 228. To authorize all departments and agencies of the State of Alabama to execute and enter into lease sale contracts for the procurement of materials, machinery and other equipment; to require that such contracts be subject to and comply with the provisions of Chapter 4, Title 55 and Chapter 21, Title 55, Code of Alabama 1940 (Recompiled 1958).

Committee on Judiciary.

By Mr. Turner:

S. 229. Relating to the state military department and the head thereof; creating the office of commanding general of the state military forces in lieu of the office of adjutant general, which office is hereby abolished; prescribing the meaning to be accorded hereafter to the term adjutant general, when used in other laws; and amending Code of Alabama 1940, Title 35, Section 67, in order to reflect such change and to define such department's composition.

Committee on Public Buildings and Grounds.

By Mr. Turner:

S. 230. To make an additional appropriation to the Division of Forestry of the Department of Conservation for the fiscal year ending September 30, 1969.

Committee on Finance and Taxation.

By Mr. Turner:

S. 231. To amend Act 22, First Special Session 1969, approved May 14, 1969 so as to change the effective date thereof.

Committee on Public Buildings and Grounds.

By Mr. Turner:

S. 232. To make an additional appropriation to the Division of Forestry of the Department of Conservation for the fiscal year ending September 30, 1969.

Committee on Finance and Taxation.

By Mr. Turner:

S. 233. To regulate speed of railroad equipment and to provide penalties for violations thereof:

Committee on Public Buildings and Grounds.

By Mr. Turner:

S. 234. Providing for adequate brakes on railroad equipment and providing penalties for violation thereof:

Committee on Public Buildings and Grounds.

By Mr. Turner:

S. 235. To fix the tenure of general officers of the Army and Air National Guard of the State of Alabama:

Committee on Public Buildings and Grounds.

By Mr. Goodwyn:

S. 236. Relating to highways; to control and regulate the erection and maintenance of outdoor advertising devices or signs on lands adjacent to The Federal-Aid Primary System and The National System of Interstate and Defense Highways in Alabama; to provide compensation for removal or relocation of advertising devices; to define terms; to provide for violations and penalties; to provide how this Act may be cited; and to provide a severability clause.

Committee on Public Buildings and Grounds.

By Mr. Goodwyn:

S. 237. To create a Court of Criminal Appeals and a Court of Civil Appeals; to provide for the jurisdiction of each; to provide for appeals to said courts; to provide for the transfer of cases between the courts and between them and the Supreme Court; to provide for the reporting of the decisions, the terms of court, law clerks for each of the judges, the salaries of the judges, their place of residence, that the members of the Criminal Court of

Appeals shall be the same members as the former Court of Appeals; providing for the appointment by the governor of the members of the Civil Court of Appeals to staggered terms, providing for supernumerary judges of said courts, for a clerk of said courts and his duties, and for other clerical assistance and for a review by certiorari of the decisions of said courts.

Committee on Judiciary.

By Mr. Pierce:

S. 238. To amend Title 55, Section 84, Code of Alabama 1940.

Committee on Judiciary.

By Mr. Pierce:

S. 239. To regulate the execution of certain public contracts for the sale of state-owned tangible personal property or standing timber by competitive bid; to provide for disposition of proceeds from such sales; and prescribe penalties.

Committee on Judiciary.

By Mr. Pierce:

S. 240. To provide for the voiding of state warrants outstanding at the close of the fiscal year next following the fiscal year in which they were issued, and for the barring of the claims based thereon.

Committee on Judiciary.

By Mr. Pierce:

S. 241. To authorize the state comptroller to close out certain inactive funds in the state treasury and transfer the balance in such funds to the state general fund.

Committee on Finance and Taxation.

By Mr. Pierce:

S. 242. To amend Section 12 of Act No. 108, H.B. 152, approved August 26, 1959 (Acts 1959, v. 1, p. 615), an act relating to the practice of chiropractic, so as to specify additional grounds for suspension or revocation of a certificate of qualification to practice chiropractic.

Committee on Public Health.

By Mr. Pierce:

S. 243. To further amend Section 18 of Title 61 of the 1958 Recompiled Code of Alabama which relates to the right of a widow to dissent from the will of her deceased husband.

Committee on Judiciary.

By Mr. Lolley:

S. 244. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the town of Hartford in Geneva County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGALS

STATE OF ALABAMA
GENEVA COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be mde, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, extend and redefine the boundary lines and corporate limits of the Town of Hartford in Geneva County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Hartford in Geneva County are hereby altered, rearranged, extended and redefined so as to include within the corporate limits of the town, all territory now embraced within such corporate limits and also certain other additional and adjacent territory in said county, as follows:

Section 36, Section 25, the E½ of Section 26, and the E½ of Section 35 of Township 2 North, Range 23 East; and the N½ of Section 1, and the NE¼ of Section 2, of Township 1 North, Range 23 East; and Section 30, Section 31, W½ of the W½ of Section 29, and the W½ of the W½ of Section 32, all in Township 2 North, Range 24 East.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GENEVA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the News-Herald, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four sucessive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 17, 1969; April 24, 1969; May 1, 1969; and May 8, 1969, all in the year 1969.

ORSEN B. SPIVEY.

Sworn to and subscribed before me May 16, 1969.

GENE M. ANDREW,
Notary Public.

By Mr. Clark:

S. 245. Relating to banks and banking; confirming and declaring the public policy of Alabama concerning branch banking; authorizing and confirming branch banking within the geographical confines of one county or within an incorporated municipality when now or hereafter permitted by

local law or general law of local application; prohibiting branch banking in any county other than that of the principal place of business of any bank, whether by merger, consolidation, acquisition of stock or property, opening a new branch or otherwise; confirming and prescribing limitations upon the rights of any bank operating within the State to open or acquire additional banks; authorizing and permitting one bank holding companies and prohibiting holding companies from owning or controlling two or more banks; to provide for the repeal of inconsistent laws heretofore enacted and to provide that any section or provision of this act being held unconstitutional shall not affect the validity of any other section or provision.

Committee on Banking.

By Mr. Clark:

S. 246. To create a Property Inventory Control Division in the office of the State Auditor; transferring to it the functions, jurisdiction, authority, personnel, property and effects vested in or required for that function in the Division of Service of the Finance Department; relieving the Director of the Finance Department of the responsibility of maintaining property records; and making an appropriation for carrying out the purposes of this act.

Committee on Finance and Taxation.

By Messrs. Clark, Torbert and Gilmore:

S. 247. To amend further Act No. 582, H. 402, Regular Session 1965 (Acts 1965, p. 1079), entitled "An Act to fix the compensation of certain state officers."

Committee on Finance and Taxation.

By Messrs. Engel, Turner, Carr, Stone, McDermott, Goodwyn, Lolley, Pierce, Lindsey, Jackson, Giles, Cooper, Branyon and Clark:

S. 248. To fix the salary of the Attorney General.

Committee on Finance and Taxation.

By Messrs. Engel, McDermott, Givhan and Cooper:

S. 249. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding $4,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the payment of the costs of the work required of the Alabama State Docks as the local sponsoring agency for the improvement in Mobile Harbor, Alabama, known as the Theodore Ship Channel project or for the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding $2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said De-

partment; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

Committee on Seaports.

By Messrs. Engel, McDermott, Givhan and Cooper:

S. 250. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding $4,000,000 for the purpose of financing the work required of the Alabama State Docks as the local sponsoring agency for the improvement in Mobile Harbor, Alabama, known as the Theodore Ship Channel project or for the purpose of financing the construction, dredging of approaches thereto and equipment of works of internal improvement for use and operation as a part of additional State Docks facilities.

Committee on Seaports.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Engel:

S. 251. To authorize the creation of public corporations as authorities for the study, control, abatement and prevention of water, air, or general environmental pollution; to allow the construction, acquisition and ownership by such corporations of facilities for this purpose; to prescribe the powers, duties, composition and financing of such corporations; to provide for cooperation with political subdivisions and other agencies and instrumentalities of the state, and to exempt such authorities from taxation.

Committee on Public Health.

By Mr. Engel:

S. 252. To amend Act No. 812, H. 1282, Regular Session 1965, which authorizes the designation of voting centers and further provides for and regulates the manner of conducting elections in counties in this state having populations of not less than 300,000 nor more than 500,000 inhabitants according to the most recent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Engel:

S. 253. To amend further Code of Alabama 1940 Title 30, Section 55 as amended, to remove the ground for challenge for cause of persons over the age of sixty-five.

Committee on Judiciary.

By Mr. Engel:

S. 254. To regulate the sale, transfer and possession of tear gas guns, tear gas fountain pens, or similar devices, and to prescribe penalties for violations.

Committee on Judiciary.

By Mr. Engel:

S. 255. To prescribe punishment for habitual criminals; providing that persons convicted of a felony for the third time shall be adjudged habitual criminals, and, as minimum punishment, shall be punished by imprisonment for life.

Committee on Judiciary.

By Mr. Engel:

S. 256. To amend Act No. 206, H. 81, of the First Special Session of 1964 (Acts, First and Second Special Sessions 1964, p. 266), entitled "An Act to provide for the creation of apartment ownership, and to prescribe regulations therefor"; to redefine an apartment owner's interest in the common area and facilities appurtenant to the apartments and to prescribe a legal description of such apartments.

Committee on Judiciary.

By Messrs. Engel and McDermott:

S. 257. To prohibit the offer for sale of goods, wares or merchandise where the offer includes the unsolicited sending of such goods, wares or merchandise not requested by the recipient; and to declare the same an unconditional gift to the recipient.

Committee on Judiciary.

By Messrs. Engel and McDermott:

S. 258. To further amend Section 2 of an Act of the Legislature of Alabama being Local Act No. 102 approved June 3, 1943, page 59 of the Local Acts of 1943 as amended by an Act of the Legislature of Alabama being Local Act No. 784 approved September 8, 1961, page 1136 of the Local Acts of 1961, entitled: "To authorize the Sheriff of Mobile County, Alabama, to select and appoint an attorney to advise and counsel him on the operation of such office and to handle all legal matters pertaining to said office; to provide for the manner of the appointment of such attorney, the term of office of such attorney; to provide for the salary of such attorney and the method of payment of such salary."

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To further amend Section 2 of an Act of the Legislature of Alabama being Local Act No. 102 approved June 3, 1943, page 59 of the Local Acts of 1943 as amended by an Act of the Legislature of Alabama being Local Act No. 784 approved September 8, 1961, page 1136 of the Local Acts of 1961 entitled: "To authorize the Sheriff of Mobile County, Alabama, to select and appoint an attorney to advise and counsel him on the operation of such office and to handle all legal matters pertaining to said office, to provide for the manner of the appointment of such attorney, the term of office of such attorney; to provide for the salary of such attorney and the method of payment of such salary."

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 2 of an Act of the Legislature of Alabama being Local Act No. 102, approved June 3, 1943, page 59 of the Local Acts of Alabama of 1943, which was amended by an Act of the Legislature of Alabama, being Local Act No. 784, approved September 8, 1961, page 1135 of the Local Acts of Alabama of 1961, be and the same is hereby amended so as to read as follows: "Section 2. Such attorney so appointed shall receive as his compensation Four Thousand Eight Hundred and No-100 ($4,800.00) Dollars per annum, payable in equal monthly installments upon warrants drawn in the same manner as other employees of Mobile County".

Section 2. That all laws or parts of laws, general, local or special, in conflict with the provisions of this Act be, and the same are hereby expressly repealed.

Section 3. This Act shall become effective immediately upon its passage by the Legislature and its approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Mar. 22, 29, Apr. 5, and 12, all in the year 1969.

E. E. KOCH.

Sworn to and subscribed before me April 12, 1969.

S. S. GATLIN,
Credit Mgr.

By Messrs. Engel and McDermott:

S. 259. Relating to law enforcement in Mobile County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund; repealing conflicting laws, and specifically repealing Act No. 413, H. 941, Regular Session 1965 (Acts 1965, p. 602) as to Mobile County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to law enforcement in Mobile County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund; repealing conflicting laws, and specifically repealing Act No. 413, H. 941, Regular Session 1965 (Acts 1965, p. 602) as to Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. In Mobile County the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama 1940 Title 14, Section 177 shall be five dollars, which shall be collected by the sheriff.

Section 2. Any and all monies collected under Section 1 of this act shall be deposited by the sheriff of Mobile County, in any bank located in Mobile County, into a fund known as the Sheriff's Fund.

Section 3. The Sheriff's Fund as provided in Section 2 of this act shall be drawn upon by the sheriff of Mobile County or his appointed agent and shall be used exclusively for law enforcement purposes and in the discharge of the sheriff's office as he sees fit.

Section 4. The establishment of the Sheriff's Fund as provided in this act and the use of such funds shall in no way diminish or take the place of any other imbursement or other source of income established for the sheriff or the operation of his office.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws and parts of laws which conflict with this act are hereby repealed, and Act No. 413, H. 941, Regular Session 1965 (Acts 1965, p. 602) is specifically repealed as to Mobile County.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Register, a newspaper of general circulation published in Mobile County, Alabama, and that the

attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Mar. 22, 29, Apr. 5, and 12, all in the year 1969.

E. E. KOCH.

Sworn to and subscribed before me April 12, 1969.

S. S. GATLIN,
Credit Mgr.

By Messrs. Engel and McDermott:

S. 260. Relating to Mobile County: To amend further Section 1 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), placing the Sheriff of Mobile County, Alabama, on a salary basis.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Mobile County: To amend further Section 1 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), placing the Sheriff of Mobile County, Alabama, on a salary basis.

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 594, N. 1044, Regular Session 1939 (Local Acts 1939, p. 355), an act regulating the compensation of the Sheriff of Mobile County, as amended, is amended further to read as follows:

"Section 1. At the expiration of the term of the incumbent, the sheriff of Mobile County shall be paid eighteen thousand dollars ($18,000) per annum as salary or compensation. Such sum shall be paid out of the county treasury of Mobile County, Alabama, in equal monthly installments at the end of each month, upon warrants drawn in the same manner as other officers and employees of Mobile County, Alabama."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Mar. 22, 29, Apr. 5, and 12, all in the year 1969.

E. E. KOCH.

Sworn to and subscribed before me April 12, 1969.

S. S. GATLIN,
Credit Mgr.

By Messrs. Engel and McDermott:

S. 261. To amend Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, p. 597), relating to the compensation of the chief deputy and certain employees in the sheriff's department in counties having populations of not less than 300,000 nor more than 500,000.

Committee on Local Legislation No. 1.

By Messrs. McDermott, Goodwyn, Engel, Bailes, Dominick, Vacca and Morrow:

S. 262. To provide for city elections on legality of sale and distribution of alcoholic beverages in dry counties.

Committee on Public Buildings and Grounds.

By Mr. McCarley:

S. 263. To authorize the circuit clerk of Autauga County to appoint two deputies and to provide for their compensation, repealing Act No. 318, H. 829, approved July 28, 1949 (Acts 1949, p. 449).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF AUTAUGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the circuit clerk of Autauga County to appoint two deputies and to provide for their compensation, repealing Act No. 318, H. 829, approved July 28, 1949 (Acts 1949, p. 449).

Be It Enacted by the Legislature of Alabama:

Section 1. The clerk of the circuit court of Autauga County, Alabama, may appoint two deputy clerks to serve under his direction and at his pleasure. The deputy clerk so appointed shall each be paid an annual salary of not less than $3,600.00 nor more than $4,800.00 in equal monthly installments, out of the general funds of the county, upon proper claim being made.

Section 2. This Act supersedes Act No. 318, H. 829, approved July 28, 1949 (Acts 1949, p. 449) which is hereby expressly repealed.

Section 3. The provisions of this Act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert W. Plowden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Sun, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 12-19-1968, 12-25-68, 1-2-69, and 1-9-69, all in the year 19_____.

ROBERT W. PLOWDEN,
Publisher.

Sworn to and subscribed before me January 20th, 1969.

MARGARET HAWK,
Notary Public.

By Mr. Radney:

S. 264. To amend Code of Alabama 1940, Title 3 A, Section 2–314, in relation to implied warranties.

Committee on Judiciary.

STATE OF ALABAMA
DEPARTMENT OF ARCHIVES AND HISTORY
MILO B. HOWARD, DIRECTOR
MONTGOMERY, ALABAMA 36104

May 20, 1969

The Honorable Senate of the
State of Alabama

Gentlemen:

Since the last regular session of the legislature, the following named have been re-elected to the Board of Trustees of the Archives and History Department:

C. J. Coley, Third District, for the term expiring in 1973
Rucker Agee, Sixth District, for the term expiring in 1973
Walter Will Bankhead, Seventh District, for the term expiring in 1973
George Bliss Jones, Eighth District, for the term expiring in 1973

And the following named have been elected to fill unexpired terms:

James B. Striplin, Fourth District, for term expiring in 1969
Robert B. Harwood, Fifth District, for term expiring in 1969

Please confirm these elections.

Respectfully,

MILO B. HOWARD, JR. Director
Secretary, Board of Trustees

COMMUNICATION FROM DEPARTMENT OF ARCHIVES AND HISTORY

The foregoing Communication from the State Department of Archives and History, relative to members of the Board of Trustees of the Archives and History Department, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Brown:

H. J. R. 9. WHEREAS, Carleton K. Butler, Professor of Music and Director of Bands at the University of Alabama, is retiring on May 31, 1969 after thirty-four years of outstanding service; and

WHEREAS, Professor Butler was a teacher and band director in the Public School System of Birmingham before coming to the University of Alabama, and after receiving the Bachelor of Music degree from Dana's Musical Institute and the Bachelor of Science degree in Music Education from Kent State University; and

WHEREAS, Professor Butler served as president of the Alabama Band Masters' Association and of the Alabama Music Educator's Association, and has devoted his talent and energy toward raising the level of music in the State; and

WHEREAS, the Reserve Officers Training Corps made him an Honorary Colonel and since that time he has been known as Colonel Butler to a generation of admirers for whom he symbolized musical excitement as director of the University of Alabama's "Million Dollar Band;" and

WHEREAS, as a dedicated teacher he has trained and inspired many young musicians, a great number of whom have followed his example and become band directors; and

WHEREAS, Professor Butler held the position of First Oboist with the Birmingham Civic Symphony Orchestra;

NOW, THEREFORE BE IT RESOLVED by the House of Representatives, the Senate concurring,

1. that this legislature express its appreciation to Carleton K. Butler for thirty-four years in which he has brought the delights of fine musicianship to millions of listeners and reflected credit on his university

and this State through his excellent performance as teacher, band leader and citizen.

2. Be it further resolved that a copy of this Resolution be immediately forwarded to Colonel Butler at his home at the University of Alabama, and that a copy be forwarded to the Board of Trustees of the University of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pierce, the Rules were suspended and the Resolution, HJR 9, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Smith:

H. J. R. 10. WHEREAS the Federal Voting Rights Act of 1965, as interpreted by the United States Supreme Court, prohibits enforcement of any voting qualification or prerequisite to voting, or standard, practice or procedure with respect to voting different from that in effect on November 1, 1964, in the State of Alabama unless and until the enforcement thereof is authorized by a declaratory judgment obtained in an action in the United States District Court for the District of Columbia; but contains the following proviso:

"Provided, That such qualification, prerequisite, standard, practice, or procedure may be enforced without such proceeding if the qualification, prerequisite, standard, practice, or procedure has been submitted by the chief legal officer or other appropriate official of such state or subdivision to the Attorney General and the Attorney General has not interposed an objection within sitxy days after such submission, . . ." and

WHEREAS several laws relative to elections, registration and procedure for voting and qualification as candidates for office have been enacted by the Alabama Legislature since November 1, 1964; now, therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING: That the Attorney General of the State of Alabama is hereby requested to submit a copy of every Alabama law, general or local, enacted since November 1, 1964, or enacted hereafter during the period of time in which said VOTING RIGHTS ACT OF 1965 is in force or effect, relative to elections, procedures for voting, or any phase of registration or qualification for voting or becoming a candidate at an election, to the Attorney General of the United States with a request that he review such laws and render an opinion as to whether all or any of them contravene the provisions of the Voting Rights Act of 1965 or any provisions of the Constitution of the United States.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Radney, the Rules were suspended and the Resolution, HJR 10, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Springer, Hobbie, Harris, Cameron and McElhaney:

H. J. R. 11. WHEREAS Montgomery firemen and the Montgomery Fire Fighters Association (M.F.F.A.) have recently completed a most successful joint drive for contributions to the Lurleen B. Wallace Courage Crusade; and

WHEREAS this group of dedicated and courageous men who have long been recognized for their outstanding services have most generously contributed a total sum of $18,309 which represents 100% participation and approximately sixty dollars per fireman; and

WHEREAS this munificent gift which represents total unselfishness on the part of each fireman and considerable personal sacrifice on the part of many, evidences the importance which this group attaches to the building of the Lurleen B. Wallace Cancer Hospital and gives added impetus to the drive throughout the State of Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend the Montgomery firemen and the Montgomery Fire Fighters Association for their most generous contributions toward this worthy project in the cause of humanity. We congratulate them upon the skill and coordination with which they combined their efforts in this amazingly successful drive and assure them that they serve as an inspiration to all of us.

RESOLVED FURTHER, That a copy of this resolution shall be sent to Lieutenant B. J. Lumpkin, president of the Montgomery Fire Fighters Association; to Mr. F. W. (Bo) Brice, county crusade chairman; to Assistant Fire Chief J. A. Phelps who coordinated the drive for the firemen; and to the Alabama Press Association.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pierce, the Rules were suspended and the Resolution, HJR 11, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Wright:

H. J. R. 12. WHEREAS Dr. John T. Sheppard of Gadsden, Alabama, departed this life April 5, 1969, after distinguished service of 35 years to his county and state, as a citizen and as a physician, and

WHEREAS, Dr. Sheppard was loved by all who knew him and particularly by the thousands of children whom he treated with skill, patience and loving care as a pediatrician, and

WHEREAS, his presence and his medical service is sorely missed in his community, his memory and dedication will be long remembered and will remain a shining example to those who serve mankind as physicians,

THEREFORE, BE IT RESOLVED by the Legislature of Alabama, both Houses concurring, that the death of Dr. John T. Sheppard saddens us all, and his family is extended our deepest sympathy.

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to his wife and children.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Nabors, the Rules were suspended and the Resolution, HJR 12, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORTS OF COMMITTEES

Mr. Clark, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Torbert, Engel, Clark, Turner, Goodwyn, and Radney:

S. 51. To provide that all debts incurred under the Acts of Congress commonly known as the National Housing Act and the Acts providing for Veterans' Benefits, as now existing or as they may hereafter be amended or supplemented, shall be legal investments for banks, insurance companies, savings and loan associations, trustees, fiduciaries of all types and for any other person, firm or corporation.

By Messrs. Torbert, Engel, Clark, Turner, Goodwyn, and Radney:

S. 52. To exempt debts incurred under the Acts of Congress, commonly known as the National Housing Act and the Acts providing for Veterans' Benefits, as now existing or as they may hereafter be amended or supplemented, from usury and interest restrictions of this State.

By Messrs. Torbert, Engel, Clark, Turner, Goodwyn, and Radney:

S. 53. To permit corporations to pay such rates of interest on the loan or forbearance of money as such borrower may agree to pay without regard to any provision of law limiting interest rates, and denying to such borrower and to other persons who may become liable thereon the right to claim or raise the defense of usury.

By Messrs. Turner and Engel:

S. 82. To be known as the Alabama Consumer Credit Code, relating to certain consumer and other credit transactions and constituting the uniform consumer credit code; consolidating and revising certain aspects of the law relating to consumer and other loans, consumer and other sales of goods, services and interests in land, and consumer leases; revising the law relating to usury; regulating certain practices relating to insurance in consumer credit transactions; providing for administrative regulation of certain consumer credit transactions; making uniform the law with respect thereto; and repealing inconsistent legislation, including the following laws and parts of law:

Code of Alabama 1940: Title 9, § § 61, 65, and 66; Title 28, § 296; and Title 51, § 495 as amended by Act No. 680, General Acts of Alabama, Regular Session (1953); and Act No. 374 General Acts of Alabama, Regular Session 1959, known as the Alabama Small Loan Act; and to amend the following laws:

Code of Alabama 1940: Title 9, § 60; and Title 5, § 120.

By Messrs. Turner and Engel:

S. 81. To repeal subsection (2) of Section 14 of Act No. 374, General Acts of Alabama, Regular Session 1959, known as the Alabama Small Loan Act.

By Messrs. Gilmore, Hawkins, Vacca, Childs and Bailes:

S. 44. To Regulate The Establishment and Operation of Separate Accounts By Life Insurance Companies Incorporated Under The Laws Of This State In Connection With Certain Individual And Group Contracts Providing Benefits Payable In Fixed Or In Variable Dollar Amounts, Or In Both.

Mr. Nabors, Chairman of the Standing Committee on Corporations, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Nabors:

S. 13. To amend House Bill 5 as passed by the 1969 Special Session of the Alabama Legislature; to provide for the changing of the name of the Alabama Commission of Higher Education.

By Mr. Nabors:

S. 16. To amend Section 9 of Act No. 762 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to increase the rate of interest that may be borne by bonds of a gas district organized under the said Act.

By Messrs. Torbert, Turner and Engel:

S. 101. To amend the Securities Act of Alabama (Acts 1959, v.2, p. 1318, et seq., Act No. 542, Regular Session 1959) so as to make further provisions relating to the registration of securities dealers and salesmen and the registration and sale of securities.

By Messrs. Torbert, Turner and Engel:

S. 102. To abolish the office of Securities Commissioner of Alabama and create in lieu thereof the Alabama Securities Commission; to provide for

the appointment, powers, duties, authority, term of office and compensation of members of the Alabama Securities Commission; to provide for the appointment of a director of the Securities Commission and to prescribe his qualifications, powers, duties, authority and compensation; to authorize and provide for the employment of a deputy director and other necessary personnel; and to transfer the authority, powers, duties, rights, privileges and immunities heretofore vested in the Securities Commissioner, along with the records, files, furniture and equipment appertaining to such office and any unexpended funds appropriated for the salary of such Commissioner and his assistants and the expenses of administering the Alabama securities law to the Alabama Securities Commission.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Turner:

S. 116. Relating to counties having populations of not less than 14,900 nor more than 15,200; amending Act No. 122, H. 91, approved March 29, 1965 (Acts of Alabama, First Special Session 1965, p. 175).

By Mr. Jackson:

S. 171. Providing for the distribution of fines and forfeitures from convictions in certain traffic violations in counties which now have a population of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census.

By Mr. Jackson:

S. 172. Relating to all counties having populations of not less than 32,200 nor more than 35,000 according to the most recent federal decennial census fixing the salaries of the chairman and members of the board of revenue, court of county commissioners or other like county governing body in such counties; providing when the provisions of this act shall become effective; and repealing conflicting laws.

By Mr. Jackson:

S. 173. Relating to all counties having populations of not less than 32,200 nor more than 35,000 according to the most recent federal decennial census, providing expense allowances for the chairman and members of the board of revenue, court of county commissioners or other like county governing body in such counties; repealing conflicting laws.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Goodwyn and Vacca:

S. 124. To further provide for supernumerary district attorneys.

By Messrs. Goodwyn and Vacca:

S. 125. Pertaining to the salaries, tenure and removal of supernumerary district attorneys.

By Mr. Goodwyn:

S. 120. To Repeal Title 15, Section 137, Code of Alabama, 1940, as amended.

By Mr. Goodwyn:

S. 121. To Repeal Title 15, Section 136, Code of Alabama, 1940, as amended.

By Mr. Goodwyn:

S. 122. To Repeal Title 15, Section 135, Code of Alabama, 1940, as amended.

By Mr. Goodwyn:

S. 123. Providing for the admissibility of confessions and the evidence of eye witness testimony in criminal cases.

By Messrs. Goodwyn, Pierce, Radney, Branyon, Givhan, McCarley, Hawkins, Leonard, Bailes, Folsom, Vacca, Childs, Skidmore, and Turner:

S. 117. To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in the various counties of the State of Alabama, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Goodwyn, Childs, Pierce, Radney, Branyon, Givhan, McCarley, Hawkins, Leonard, Bailes, Folsom, Vacca, Skidmore and Turner (with amendment:

S. 119. To amend Sections 5 and 6 of Title 7, Code of Alabama, 1940, in relation to papers to be recorded on filing and when record used on trial of cause.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Clark:

S. 129. To amend Title 7, Section 727, et seq., of the Code of Alabama of 1940 so as to provide for the redemption of real estate within one year after sale under execution or by virtue of any decree in the Circuit Court or under any deed of trust or power of sale in a mortgage.

By Mr. Turner:

S. 112. To create the office of Supernumerary Probate Judge in the various counties of Alabama; prescribing the qualifications, term, duties, powers, authority, compensation or salary of such judge, and providing for the payment of the compensation or salary of any county Supernumerary Probate Judge.

By Messrs. McCarley and Leonard:

S. 50. To amend Code of Alabama 1940, Title 36, Sections 1 and 36, as amended, so as to define further the term "authorized Emergency Vehicle," and to regulate the use of horns and warning devices on certain types of such vehicles.

By Messrs. Harris, Givhan, Clark, Lolley, Engel, Adams, Turner, Folsom, Cooper, Torbert, McDermott, Pelham and Skidmore:

S. 2. Concerning crimes and punishments, and prohibiting certain trespass upon the property of and the interference with the peaceful conduct of institutions of higher education; and prescribing penalties.

By Messrs. Harris, Givhan, Clark, Lolley, Engel, Adams, Turner, Folsom, Cooper, Torbert, McDermott, Pelham and Skidmore:

S. 3. To make it a felony for any non-student to promote or participate in a riot at any school.

By Mr. Nabors:

S. 15. To Amend Act No. 549, S. 2, approved August 23, 1965 (Acts, 1965, V. 1, p. 811), the Uniform Commercial Code, Codified as Title 7 A. Commercial Code.

By Mr. Torbert:

S. 56. Establishing standards of conduct for officers and employees of state agencies, legislators and legislative employees in the area of possible conflict between their private interests and official duties; creating and establishing the Alabama Ethics Commission; providing for the appointment, term, compensation, duties and authority of members of such commission; specifically authorizing such commission to render advisory opinions relative to the applicability of this act; and providing for adoption by political subdivisions of the provisions of this act by ordinance or resolution.

By Messrs. Radney, Cooper, Vacca, Bailes, Pierce, Nabors, Albea, Leonard, Childs, Lindsey, Giles, Gilmore, Adams, Lolley, McDermott, Skidmore, Hawkins, Givhan, Stone, Branyon, Morrow, Jackson, Dominick, Engel and Carr:

S. 70. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Mr. Hawkins, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Hawkins:

S. 37. Relating to education; requiring local boards of education to provide financial assistance for handicapped children enrolled in day centers and special schools.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Harris (with substitute):

S. 8. To provide for the mandatory inspection of the slaughter of cattle, sheep, swine, goats, and equines, and poultry, and the preparation of the carcasses, parts thereof, meat and meat food products of such animals; solely for distribution in this State; for the regulation of related industries; for the cooperation with the United States Department of Agriculture; for quarantine, seizure, condemnation and destruction of carcasses, parts thereof and meat and poultry products; for promulgation of regulations; prohibiting certain acts relative to said meat and meat products, the preparation, transportation, labeling and distribution thereof, and providing penalties; the designation of the Commissioner of Agriculture and Industries of the State of Alabama as the supervising agency of the State of Alabama and the authorization of the said Commissioner and the Board of Agriculture and Industries of the State of Alabama to promulgate rules and regulations relating to all of the aforesaid.

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Turner and Folsom:

S. 111. To provide for and authorize the incorporation of districts, as public corporations of the State of Alabama, by any two or more incorporated cities, towns or villages in the State of Alabama for the purpose of acquiring, constructing, owning, operating and financing any one or more of systems for providing telephone and other communication services to the public by the transmission of signal, picture, voice and sounds of all kind; to provide for the approval, execution, filing, recording and amendment of the certificate of incorporation of such districts and the dissolution thereof; to grant powers to such districts, including the power of eminent domain, and to provide the means of exercising such powers; to provide for a board of directors and officers to exercise the powers and direct the affairs of such districts; to authorize such districts to issue and sell bonds payable solely from the revenues of its system or systems; to provide for the execution and delivery by such districts of mortgages, deeds of trust and other instruments of security for the benefit of the holders of such bonds; to provide for the remedies and rights available to the holders of the bonds; to provide that the property and income of such districts and any such district itself shall be exempt from all state, county, municipal and other taxation in the State of Alabama, including, without limitation, privilege and license taxation; to provide that the bonds of such districts and the interest thereon shall be tax exempt; to provide that deeds, mortgages, trust indentures and other instruments of, by, or to such districts shall be tax exempt; to provide for the use and utilization and distribution of the revenues of the systems of such districts; to exempt such districts from the jurisdiction and control of the Public Service Commission and all other regulatory bodies and agencies of the State; to regulate the use of the proceeds of sale of any such bonds; to regulate the duplication of existing privately owned systems furnishing the same services and to provide for the acquisition thereof by such districts; to provide for the use of the pub-

lic roads by such districts; and to make provisions with respect to the acquisition, construction, maintenance, operation and financing of a system or systems by such districts, as a public corporation of the State of Alabama.

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Turner, Clark, Pierce, Cooper, Torbert, Engel, Gilmore, Oden and Goodwyn (with amendment):

S. 108. To amend Code of Alabama 1940, Title 35, Section 102, which provides exemptions from state toll bridge and tunnel fees, and automobile fees to certain members of the state militia, so as to extend the exemption relative to automobile fees to noncommissioned officers and enlisted men in the active national guard of Alabama.

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Turner:

S. 113. To amend Section 184, Title 39, Code of Alabama 1940, as amended, relating to Sundays and holidays so as to provide for the observance of certain legal public holidays on Mondays.

By Mr. Turner:

S. 114. Relating to newspaper carriers; to make it unlawful to defraud a newsboy, and to provide penalties therefor.

By Mr. Turner:

S. 115. To provide for participation by the State of Alabama in the National Guard Mutual Assistance Compact, and to enact the terms and provisions thereof as the law of this State.

By Messrs. Jackson, Branyon, Pierce, McCarley, Leonard, Lolley, Clark, Adams, Givhan, Pelham, McDermott, Engel, Childs, Bailes, Hawkins, Vacca, Torbert, Turner, Folsom, Carr, Lindsey, Giles, Gilmore and Oden.

S. 170. To require the teaching of Bible history in all public high schools in this state; to provide for instructors of such courses; to repeal conflicting laws and specifically to repeal and supersede conflicting provisions of Sections 322 and 408 of Title 52, Code of Alabama 1940, as amended, to the extent of such conflict.

By Messrs. Gilmore, Childs, Giles, Folsom, Torbert, Branyon, Vacca, Lindsey, Radney, Morrow, Jackson and Nabors:

S. 46. To provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for

bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act.

Mr. Cooper, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Nabors and Cooper:

S. 17. To amend further Section 9 of Act No. 476, H. 8, Regular Session 1965 (Acts 1965, Regular Session, p. 686) an Act known as the "Physical Therapy Practice Act," so as to provide further for the issuance of licenses without examination.

By Messrs. Cooper, Leonard, Radney, Turner, Givhan, Harris, Jackson, Vacca and Pierce:

S. 77. To create the State Board of Examiners of Nursing Home Administrators; to prescribe the powers of the State Board of Examiners of Nursing Home Administrators; to provide for the issuance of licenses for nursing home administrators.

RESOLUTION

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 4. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That the printed Acts of the 1969 Extraordinary Session be bound with the printed Acts of the 1969 Regular Session.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

ADJOURNMENT

At 2:08 P.M., Mr. Cooper moved that the Senate adjourn until Wednes-

Mr. Morrow moved as a substitute motion that the Senate adjourn until Thursday, May 22, 1969, at 12 o'clock Noon, which motion was lost.
day, May 21, 1969, at 12 o'clock Noon.

Yeas 9; Nays 17.

Yeas:

Messrs.:	Dominick	Jackson	Pelham	
Bailes	Folsom	Morrow	Radney	
Childs	Hawkins			—9

Nays:

Messrs.:	Engel	Leonard	Pierce	
Adams	Giles	Lolley	Torbert	
Branyon	Gilmore	McDermott	Turner	
Clark	Goodwyn	Nabors	Vacca	
Cooper	Harris			—17

The question recurred on the motion of Mr. Cooper, and at 2:10 P.M., the Senate adjourned until Wednesday, May 21, 1969, at 12 o'clock Noon.

THIRD LEGISLATIVE DAY

WEDNESDAY, MAY 21, 1969

The Senate met pursuant to adjournment, President Pro Tempore Goodwyn presiding.

PRAYER

The Session was opened with prayer by the Reverend Lewis Marler, Pastor, Ridgecrest Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

—35

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Second Legislative Day was approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Harris:

S. 265. To authorize local boards of education to fix and collect tuition fees and charges from pupils attending schools under the jurisdiction of such boards, but who live outside the territory over which such boards of education have jurisdiction.

Committee on Education.

By Mr. Branyon:

S. 266. To amend Section 16 of Title 23 of the Code of Alabama of 1940 providing for certain rules and regulations of the highway department.

Committee on Judiciary.

By Mr. Branyon:

S. 267. To amend Section 402 (65) of Title 37 of the Code of Alabama of 1940 to provide for the use of the public roads by gas districts in this State.

Committee on Judiciary.

By Mr. Skidmore:

S. 268. To amend Sections 7, 8 and 12 of Act No. 558, Regular Session, 1943, approved July 9, 1943 (Alabama Acts of 1943, page 548 et seq.), by providing for the preparation and use of uniform accident reporting forms.

Committee on Judiciary.

By Mr. Dominick:

S. 269. To propose an amendment to the Constitution of Alabama with respect to the retirement, censure, suspension and removal of judges, creating a Judicial Commission and defining its powers, duties and authority.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Dominick:

S. 270. To prohibit the use of state funds for the construction of dormitories for state junior colleges and state trade schools or for the preparation therefor.

Committee on Finance and Taxation.

By Mr. Radney:

S. 271. To amend Chapter 2 of Title 17 of the 1940 Code of Alabama, as amended, to authorize the holding of a presidential preferential primary, to authorize the making of rules governing such preferential primary, and providing for the time for holding such preferential primary, the ballot to be used in such preferential primary and the payment of expenses of such preferential primary.

Committee on Privileges and Elections.

By Mr. Radney:

S. 272. To amend Sections 1 and 2 of Title 27, Code of Alabama 1940, so as to require under certain conditions that a birth certificate shall accompany a petition for adoption, and so as to relieve the Department of Pensions and Security of certain responsibilities in relation to stepparent and other relative adoptions.

Committee on Judiciary.

By Mr. Radney:

S. 273. To make a further and additional appropriation of $500,000 for capital outlays to the Alabama Industrial School for Negro Children.

Committee on Finance and Taxation.

By Mr. Radney:

S. 274. To make it a felony for a father to fail to comply with terms of a court order requiring him to support his child or children.

Committee on Judiciary.

By Mr. Albea:

S. 275. Proposing an amendment to the Constitution of Alabama relative to a special district ad valorem tax for public school purposes in each school district of Calhoun County except the school district comprising the City of Anniston.

Committee on Local Legislation No. 1.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Turner:

S. 276. To provide for the payment of compensation of officers, agents and employees of the Department of Public Safety, and to provide for the payment of expenses for subsistence and necessary equipment of the department when such officers, agents or employees shall be called upon by the Governor, or the appointing authority of the department, to perform duties relating to the control of civil disturbances, the restoration or preservation of the public order, or to perform rescue or protective duties at a natural or man-made disaster extending beyond twenty-four hours.

Committee on Finance and Taxation.

By Mr. Turner:

S. 277. To amend Code of Alabama 1940, Title 22, Sections 20 and 37; further regulating the bureau of vital statistics in the state health department; designating the duties, responsibilities and compensation of the state registrar of vital statistics; providing for official certificate forms.

Committee on Public Health.

By Mr. Turner:

S. 278. Relating to banks and banking; amending further Code of Alabama 1940, Title 5, Section 91, which relates to filing fees for permits to transact business; amending such section to prescribe fees to be paid with the application for a permit for the merger of two or more banks, and providing for the disposition of such fees.

Committee on Finance and Taxation.

By Mr. Turner:

S. 279. To amend Title 5, Section 118, Code of Alabama 1940, in relation to the powers of banking and trust companies.

Committee on Banking.

By Mr. Turner:

S. 280. Relating to the state banking department; amending Section 9 of Act No. 204, H. 30, Regular Session 1955 (Acts 1955, p. 497), so as to provide further for the authority and duties of the deputy superintendent of banks.

Committee on Banking.

By Mr. Turner:

S 281. Relating to banks and banking; providing further for the qualifications of directors of certain banks; amending Code of Alabama 1940, Title 5, Section 185.

Committee on Banking.

By Mr. Turner:

S. 282. Relating to banks and banking; requiring certain proof of responsibility to effect a change in control of any state bank or trust company; providing penalties for violations.

Committee on Banking.

By Mr. Turner:

S. 283. Amending Section 251, Title 5, Code of Alabama 1940, so as to make further provisions respecting distribution and use of fees and assessments collected by the state banking department from savings and loan associations.

Committee on Finance and Taxation.

By Mr. Turner:

S. 284. Relating to railroad crossings; to provide standards for construction thereof; to provide procedures for notice of noncompliance; and to provide penalties for violation, including payment of damages to any injured party:

Committee on Public Buildings and Grounds.

By Mr. Pierce:

S. 285. Relating to penal institutions; providing for deductions from sentences of prisoners who donate blood to the American Red Cross.

Committee on Public Health.

By Mr. Pierce:

S. 286. To repeal Act No. 293, H. 35, approved July 26, 1951, an act imposing extra, new and additional duties upon the commissioner of agriculture and industries in relation to or connected with the department of corrections and institutions, eleemosynary institutions, and the state highway department (Acts 1950-51, v. 1, p. 585).

Committee on Agriculture.

By Mr. Goodwyn:

S. 287. To make a supplemental appropriation to the Commission on Physical Fitness.

Committee on Finance and Taxation.

By Mr. Goodwyn:

S. 288. Providing for nonpartisan election of circuit judges, judges of the Court of Appeals, and the Chief Justice and Associate Justices of the Supreme Court of the State of Alabama.

Committee on Judiciary.

By Messrs. Clark, Gilmore, Adams, Morrow and Cooper:

S. 289. Relating to displacement of individuals, families, farm operations, businesses and non-profit organizations; providing that payments may be made to them as a result of moving from their home, farm or business due to acquisition of their property for highway construction purposes; providing that relocation moving payments be considered a part of highway construction; providing that the Highway Department may provide a relocation advisory assistance program in keeping with this Act; providing optional modes of payment to those displaced and covered under this Act; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this Act; authorizing the Highway Director to adopt applicable federal rules and regulations to implement this Act and to comply with the relocation assistance proivsions of The Federal-Aid Highway Act of 1968 and subsequent federal acts related thereto; repealing Section 39 (2), Title 23, Code of Alabama, 1940, recompiled 1958; to provide how this act may be cited; and to provide a severability clause.

Committee on Finance and Taxation.

By Messrs. Clark, Gilmore, Adams, Morrow and Cooper:

S. 290. An Act relating to highways; to control and regulate the erection and maintenance of outdoor advertising devices or signs on lands adjacent to The Federal-Aid Primary System and The National System of Interstate and Defense Highways in Alabama; to provide compensation for removal or relocation of advertising devices; to define terms; to provide for violations and penalties; to provide how this Act may be cited; and to provide a severability clause.

Committee on Public Buildings and Grounds.

By Mr. McDermott:

S. 291. Relating to the authority of the Highway Director to alter plans or character of work on construction projects after they have been let to contract; to determine the need for new or additional work not contemplated or included in the original construction contract; and to enter into a supplemental agreement with the prime contractor for extra work or to direct the prime contractor to perform the extra work on a force account basis.

Committee on Judiciary.

By Mr. McDermott:

S. 292. To amend Act No. 497, H. 616, Regular Session 1959 (Acts of 1959, Page 1231) which creates the position of Chief Engineer in the State Highway Department and provides for his appointment, qualifications, duties, responsibilities and salary; so as to provide further for his appointment, compensation, qualifications and duties.

Committee on Finance and Taxation.

By Mr. Jackson:

S. 293. Relating to counties having a population of not less than 33,000 nor more than 35,000; to authorize the boards of registrars in such counties to meet an additional ten days per year and to be paid a travel allowance.

Committee on Local Legislation No. 1.

By Mr. Jackson:

S. 294. Relating to counties having a population of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; further regulating the salary of the chief clerk of the county governing body.

Committee on Local Legislation No. 1.

By Mr. Jackson:

S. 295. Relating to the office of the sheriff in all counties having populations of not less than 32,200 nor more than 35,000 according to the most recent federal decennial census; providing salary increases for certain deputies and employees of the sheriff; authorizing the employment of additional deputies and providing for their assignment, duties and compensation.

Committee on Local Legislation No. 1.

By Messrs. Skidmore, Folsom, Vacca, Albea, Bailes, Hawkins, Morrow, Childs, Gilmore, Giles, Branyon, Jackson, Nabors, Clark, Radney, O'Bannon, Oden, Lolley, Adams, Leonard, Goodwyn, McCarley and Torbert:

S. 296. To provide a state scholarship program to promote the education of nurses at the Lurleen B. Wallace School of Nursing, Jacksonville State University; and making an appropriation therefor.

Committee on Finance and Taxation.

By Messrs. Skidmore, Folsom, Vacca, Albea, Bailes, Hawkins, Morrow, Childs, Gilmore, Giles, Branyon, Jackson, Nabors, Radney, O'Bannon, Clark, Oden, Lolley, Adams, Leonard, Torbert, McCarley and Goodwyn:

S. 297. To provide a state scholarship program to promote the education of nurses in the junior colleges of Alabama operated under the jurisdiction of the State Board of Education; and making an appropriation therefor.

Committee on Finance and Taxation.

By Messrs. Skidmore, Folsom, Vacca, Albea, Bailes, Oden, Hawkins, Morrow, Childs, Gilmore, Giles, Branyon, Jackson, Nabors, Radney, O'Bannon, Clark, Lolley, Adams, Leonard, Torbert, Goodwyn and McCarley:

S. 298. To amend Sections 1, 2, 3 and 4 of Act #590, H. 138, Page 827, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

Committee on Finance and Taxation.

By Messrs. Skidmore, Folsom, Vacca, Albea, Oden, Bailes, Hawkins, Morrow, Childs, Gilmore, Giles, Branyon, Jackson, Nabors, Radney, O'Bannon, Clark, Lolley, Adams, Leonard, Torbert, Goodwyn and McCarley:

S. 299. To amend Sections 1, 2, 3, and 4 of Act No. 591, H. 140, Page 828, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

Committee on Finance and Taxation.

By Messrs. Skidmore, Folsom, Vacca, Albea, Bailes, Nabors, Hawkins, Morrow, Childs, Gilmore, Oden, Giles, Branyon, Jackson, Clark, Radney, O'Bannon, Lolley, Adams, Leonard, Torbert, Goodwyn and McCarley:

S. 300. To authorize and direct the Board of Nursing created under Act 867, S. 210, Regular Session 1965 (Acts 1965, p. 1615), to contract for and to provide technical assistance and consultant serivces to the State Board of Education for certain junior colleges engaged in, or to become engaged in, teaching and training professional nurses, establishing procedures for providing such assistance, and making appropriations therefor.

Committee on Finance and Taxation.

By Mr. Clark:

S. 301. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding $3,000,000.00 in aggregate principal amount.

Committee on Public Buildings and Grounds.

By Mr. Clark:

S. 302. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding $3,000,000.00 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be

used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the Special Tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority, to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

Committee on Public Buildings and Grounds.

By Messrs. Goodwyn and Pierce:

S. 303. To amend Act No. 403, Section 2, Acts of Alabama 1967, Vol. II, Page 1016, which provides for the sale of bonds in the amount of $5,000,000 for the purpose of constructing and equipping a four year college or branch of Auburn University.

Committee on Public Buildings and Grounds.

By Mr. Engel:

S. 304. To amend Code of Alabama 1940, Title 25, Section 8, to provide for compensation of commissioners of municipal housing authorities.

Committee on Finance and Taxation.

By Mr. Skidmore:

S. 305. To provide for the regulation of strip mining and the reclamation and revegetation of lands affected by such operations; to prescribe the powers and duties of the director of conservation in connection with the regulation of strip mining; to require and prescribe conditions for the issuance of permits for strip mining; to provide for bonds and the conditions for forfeiture thereof; to create a strip mining fund and provide for payments and appropriation of funds thereunto; to provide for review of the director's orders; to prescribe penalties for violations and provide otherwise for the enforcement of the act and regulations issued thereunder.

Committee on Public Buildings and Grounds.

By Mr. Skidmore:

S. 306. To amend Act No. 108, H.B. 152, approved August 26, 1959 (Acts 1959, v. 1, p. 612), an act relating to the practice of chiropractic; providing for the certification, examination and regulation of chiropractors.

Committee on Public Health.

By Mr. Pierce:

S. 307. Relating to state employment; providing for payment of certain expenses of job transference.

Committee on Finance and Taxation.

By Mr. Harris:

S. 308. To amend Code of Alabama 1940, Title 37, Section 540, which relates to the power of certain cities, classified according to population, to abate or reduce assessments made for public improvements, in order to change the population classification.

Committee on Municipalities and Municipal Organizations.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Shumate:

H. J. R. 15. WHEREAS Colonel Floyd Mann, as Director of Public Safety, has demonstrated to the people of Alabama and the members of the legislature his great capacity for capable and efficient administration; and

WHEREAS Colonel Mann has won the respect of law enforcement officers and public officials throughout the nation for his management and direction of the most effective law enforcement and highway safety programs in the history of the state; and

WHEREAS Colonel Mann in his personal relations with the officers in his department and with the general public has shown himself to be an understanding and skilled executive, worthy of support and admiration; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring, that we commend Colonel Mann for his tireless and devoted service to the citizens of this state, and that a copy thereof be mailed to Colonel Mann.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Radney, the Rules were suspended and the Resolution, HJR 15, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Shumate, Bowers and Weeks:

H. J. R. 14. WHEREAS Dr. Samuel Richardson Hill, Vice President for Health Affairs at the University of Alabama Medical Center, through years of dedicated service to the medical profession and to the Medical College of Alabama, has shown himself to be an example of professional excellence and an outstanding medical educator; and

WHEREAS Dr. Hill and the medical staff have constantly demonstrated an attitude of courtesy and cooperation in their relations with the legislature and the general public; and

WHEREAS Dr. Hill and the staff have undertaken to thoroughly explain and demonstrate the goals, methods, and needs of the Medical Center to the members of the legislature and to the general public, and illustrated the great value and potential of the medical program which has resulted from progressive administration and legislation; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring, that we commend Dr. Hill and the medical staff for continuous and highly meritorious service to the health and general welfare of the people of Alabama, and that a copy hereof be mailed to Dr. Hill.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Bailes, the Rules were suspended and the Resolution, HJR 14, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Edington:

H. J. R. 13. WHEREAS the problem of damages resulting from pollution of this Nation's coastal waters to aquatic life, to the beaches, and to numerous businesses having their foundations on the beaches or in the coastal waters is a matter of growing concern, not just to Alabama but also to the United States and many of the individual states, including our neighboring states, Florida and Mississippi; and

WHEREAS Alabama's beaches are among the most beautiful in the world and Alabama's coastal waters abound with fish and much other marine life which contributes immeasurably to this state's economy, and we want to keep them this way, now, therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING That the Joint Interim Committee on Air Pollution, which was created by Act No. 192, H. J. R. 45 of the 1966 Special Session (Acts, 1966, p. 222) is hereby directed, in addition to the duty heretofore placed on it, to assume another duty relative to pollution. This additional duty shall be to study the problem of pollution of the state's coastal waters, particularly the possibility of such pollution as a result of faulty operations or equipment when drilling for oil in both the off-shore and in-shore areas in such waters. Such committee shall investigate especially the need for legislation to forestall damage to Alabama's coastal waters, her beaches, the aquatic and wild life abundant in and near her coastal waters, and damages to numerous associated industries and businesses similar to those damages recently suffered by several of our sister states. This committee shall endeavor to ascertain what, if any, provision is made in the federal law and in the laws of both Florida and Mississippi for requiring persons, firms or

corporations causing pollution of coastal waters to reimburse individuals who suffer injuries or whose businesses are ruined or severely curtailed because of such pollution. Such study shall include a survey of the problem of co-ordinating our efforts and our state's legislation with the efforts and legislation of the United States and the States of Florida and Mississippi.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, HJR 13, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Albea:

S. 18. To amend Section 3 of Act No. 441, Acts of Alabama, Regular Session 1967, page 1114, relating to all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent Federal decennial census, further regulating the compensation and allowances of the chairmen and members of the court of county commisioners, board of revenue, or other like county governing body; to provide for actual expenses for travel outside the county on county business and to validate payments heretofore made for such travel.

By Mr. Folsom (with notice and proof):

S. 191. To authorize any bank situated in the City of Cullman, or having an authorized office or place of business therein, to establish, operate and maintain branch banks or additional offices or places of business in the City of Cullman.

By Mr. McCarley:

S. 214. To withdraw and take away all authority, power, and duties of constables relative to criminal and quasi-criminal matters in all counties having populations of not less than 31,500 nor more than 35,500, according to the most recent federal decennial census; repealing conflicting laws.

By Mr. McCarley:

S. 215. Relating to retirement systems for certain county employees in all counties having populations of not less than 31,500 nor more than 35,500, according to the most recent federal decennial census; providing further for eligibility for membership in such retirement systems.

By Mr. Radney:

S. 218. To provide for an expense allowance for each County Inferior Court Judge in this state who is required to hold court sessions at three different court houses in the county; and providing for the payment of such expense allowance out of the general fund of such counties.

By Mr. Radney (with notice and proof):

S. 219. To alter, rearrange and fix the boundaries and corporate limits of the town of Daviston in Tallapoosa County, annexing certain territory to the town.

By Mr. Lindsey:

S. 221. Relating to all counties having populations of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; to prescribe the qualifications of the county superintendent of education in each such county; and to regulate his compensation and expense allowances.

By Mr. Lolley (with notice and proof):

S. 244. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the town of Hartford in Geneva County.

By Mr. McCarley (with notice and proof):

S. 263. To authorize the circuit clerk of Autauga County to appoint two deputies and to provide for their compensation, repealing Act No. 318, H. 829, approved July 28, 1949 (Acts 1949, p. 449).

Mr. Hawkins, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Harris:

S. 5. To amend further Code of Alabama 1940, Title 52, Section 495, which relates to meetings of the board of trustees of the University of Alabama, in relation to the places of such meetings.

By Mr. Radney:

S. 71. To amend Title 52, §136, Code of Alabama, as amended, to provide that teachers and other employees of County Boards of Education in the State of Alabama shall be permitted to accumulate and to be paid for leaves of absence due to sickness for not more than ninety days.

By Mr. Radney:

S. 72. To amend Title 52, §197, Code of Alabama, as amended, to provide that teachers and other employees of City Boards of Education in the State of Alabama shall be permitted to accumulate and to be paid for leaves of absence due to sickness for not more than ninety days.

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. McDermott, Goodwyn, Engel, Bailes, Dominick, Vacca and Morrow:

S. 262. To provide for city elections on legality of sale and distribution of alcoholic beverages in dry counties.

By Mr. Turner:

S. 235. To fix the tenure of general officers of the Army and Air National Guard of the State of Alabama:

By Mr. Turner:

S. 231. To amend Act 22, First Special Session 1969, approved May 14, 1969 so as to change the effective date thereof.

By Mr. Turner:

S. 229. Relating to the state military department and the head thereof; creating the office of commanding general of the state military forces in lieu of the office of adjutant general, which office is hereby abolished; prescribing the meaning to be accorded hereafter to the term adjutant general, when used in other laws; and amending Code of Alabama 1940, Title 35, Section 67, in order to reflect such change and to define such department's composition.

Mr. Bailes, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment and it was read a second time and placed on the calendar, to-wit:

By Messrs. Radney, Cooper and Lindsey (with amendment):

S. 74. Proposing an amendment to the Constitution of Alabama in relation to the minimum age for registering to vote and voting.

The above Bill was read a second time at length as required by the Constitution.

Mr. Bailes, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Radney, Cooper and Lindsey:

S. 75. To amend Title 17, Sections 12, 32 and 35, Code of Alabama, reducing the minimum age for persons to register and to vote.

Mr. Cooper, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the State with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cooper:

S. 222. To amend Section 8 of Act No. 108, H.B. 152, approved August 26, 1959 (Acts 1959, v. 1., p. 615), an act relating to the practice of chiropractic so as to delete certain subjects required for examination and add other subjects upon which applicants shall be required to take a written examination.

By Mr. Cooper:

S. 223. To amend Section 19 of Act No. 108, H.B. 152, approved August 26, 1959 (Acts 1959, v. 1., p. 618), an act relating to the practice of chiropractic so as to require the completion of fifteen hours annually of professional educational work to be approved by the state board of chiropractic examiners as a condition for the renewal of certificates of qualification to practice chiropractic.

Mr. Engel, Chairman of the Standing Committee on Seaports, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Engel, McDermott, Givhan and Cooper:

S. 249. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding $4,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the payment of the costs of the work required of the Alabama State Docks as the local sponsoring agency for the improvement in Mobile Harbor, Alabama, known as the Theodore Ship Channel project or for the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding $2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

By Messrs. Engel, McDermott, Givhan and Cooper:

S. 250. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding $4,000,000 for the purpose of financing the work required of the Alabama State Docks as the local sponsoring agency for the improvement in Mobile Harbor, Alabama, known as the Theodore Ship Channel project or for the purpose of financing the construction, dredging of approaches thereto and equipment of works of internal improvement for use and operation as a part of additional State Docks facilities.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Givhan, Clark, Engel, Cooper, Adams and Goodwyn:

S. 209. To implement, when ratified, the provisions of that certain Constitutional Amendment proposed by the Legislature of Alabama in adopted at the 1969 Regular Session of the Legislature of Alabama and that authorizes the State, in promoting and aiding the commercial flow of agriculture products within the State or in aid of commerce and use of the waterways of the State, to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating within the State or along navigable streams and waterways now or hereafter existing within the State all manner of elevators, facilities, warehouses, docks, water and rail terminals and other structures and facilities and improvements needful for the convenient use of the same, and to incur indebtedness and issue bonds for said purpose; to implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 262 adopted at 1967 Regular Session of the Legislature of Alabama; to implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 151 adopted at the 1957 Regular Session of the Legislature of Alabama; to authorize the State to engage in such works of internal improvement at an additional cost of not exceeding $5,000,000; to designate the Alabama State Docks Department and any department or agency of the State that may succeed to its functions as the Agency to undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of said Department in connection therewith; to authorize the State to become indebted to the extent of not exceeding $5,000,000 in principal amount to carry out the provisions of this Act and to issue its interest bearing direct general obligation bonds therefor; to prescribe in general the terms of such bonds and the method and manner of the sale and issuance thereof; to exempt the same and the interest thereon from taxation; to provide for the payment for any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide for the refunding of any bonds issued under this Act; to provide for investment of the proceeds of any bonds issued hereunder and other funds received under this Act, pending the need for such funds; to provide for the use of funds obtained from the operation of improvements constructed with proceeds of any bonds issued hereunder; to make appropriation for payment of the principal and interest on bonds issued under the 1969 Docks Amendment, the 1967 Docks Amendment and the 1957 Docks Amendment from the General Fund of the State; to provide for the acquisition of property for the purpose of this Act and for the exercise of the power of eminent domain with regard thereto; to prescribe the powers and duties of the Governor, the said Department and other officers of the State in carrying out the provisions of this Act; to authorize the said Department to fix and collect reasonable rates and charges for services rendered by, and for use of, facilities established pursuant to this Act; to require the maintenance of records of the total cost of, the gross revenues from, and the expenses of operating, each unit of development acquired, constructed, or operated pursuant to the provisions of this Act, or Act No. 264 adopted at the 1967 Regular Session of the Legislature, Act No. 311 adopted at the 1957 Regular Session of the Legislature, Act No. 98 adopted at the 1959 Regular Session of the Legislature, Act No. 716 adopted at the 1961 Regular Session of the Legislature, or Act No. 192 adopted at the 1963 Regular Session of the Legislature; and to provide that surplus revenues derived from operation of the State Docks facilities at the Port of Mobile shall be used to meet operating deficits of the facilities constructed under said 1969 Docks Amendment, said 1967 Docks Amendment, or said 1957 Docks Amendment.

By Messrs. Givhan, Engel, Clark, Cooper, Adams and Goodwyn:

S. 210. To propose an amendment to the Constitution of Alabama authorizing the State to engage in works of internal improvement in promoting and aiding the commercial flow of agricultural products within the State or to engage in works of internal improvement along navigable waterways within the State; authorizing the State to become indebted for not exceeding $5,000,000 aggregate principal indebtedness in connection therewith and authorizing pledge of the faith and credit of the State to secure the repayment of such indebtedness and interest thereon.

The above Bill was read a second time at length as required by the Constitution.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Harris, Clark, McDermott, Pierce, Skidmore (with substitute):

S. 4. Regulating the acquisition of control of a domestic insurance company and certain transactions, dividends and distributions between insurance companies and their affiliates and to provide penalties for the violation thereof.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that siad Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Albea, Radney, Turner, Skidmore, McDermott, Folsom, Pelham, Giles, Engel, Goodwyn:

S.19. Relating to civil remedies and procedures: allowing recovery when contributory negligence is less than that of the person being sued, and mitigating damages in proportion to the amount of contributory negligence committed by the person recovering such damages.

By Mr. Giles:

S. 176. To provide for compliance with provisions of Article 3 of Title 47 of the Code of Alabama of 1940 requiring entry of partial payments of indebtedness secured by mortgage or other encumbrance on the margin of the record by the furnishing of a separate written instrument.

By Messrs. Vacca and Cooper:

S. 208. To promote highway safety; to authorize the director of public safety to enter into agreements with authorities in charge of federal military installations providing for and regulating the reciprocal recognition of point values assessed against drivers of motor vehicles because of violations of motor vehicle and traffic laws under the Traffic Point Systems applicable in the State of Alabama and on such installations.

By Mr. Cooper:

S. 224. To amend Title 14, Section 245, Code of Alabama 1940, which prohibits minors from playing pool in poolrooms.

By Mr. Cooper:

S. 225. Relating to the destruction of public records; authorizing the state treasurer to destroy certain cancelled state warrants and the journals pertaining to such warrants; and repealing Act No. 589, H. 141, of the Regular Session of 1957 (Acts of 1957, p. 826) and all other conflicting laws.

By Mr. Cooper:

S. 226. To amend Code of Alabama 1940, Title 55, Section 223, which relates to the records of the state treasurer relative to cancelled coupons on coupon bonds issued by the State so as to require and regulate the making and auditing of certain records relative to coupon bonds and the destruction of certain cancelled bonds.

By Mr. Cooper:

S. 227. To provide a method for indication of the Governor's approval of vouchers or accounts payable by the State Comptroller, which require the Governor's approval, by method of certification of the department director or executive officer requesting payment.

By Mr. Cooper:

S. 228. To authorize all departments and agencies of the State of Alabama to execute and enter into lease sale contracts for the procurement of materials, machinery and other equipment; to require that such contracts be subject to and comply with the provisions of Chapter 4, Title 55 and Chapter 21, Title 55, Code of Alabama 1940 (Recompiled 1958).

By Mr. Pierce:

S. 238. To amend Title 55, Section 84, Code of Alabama 1940.

By Mr. Pierce:

S. 239. To regulate the execution of certain public contracts for the sale of state-owned tangible personal property or standing timber by competitive bid; to provide for disposition of proceeds from such sales; and prescribe penalties.

By Mr. Pierce:

S. 240. To provide for the voiding of state warrants outstanding at the close of the fiscal year next following the fiscal year in which they were issued, and for the barring of the claims based thereon.

RESOLUTIONS

Mr. McCarley offered the following Senate Joint Resolution, to-wit:

S. J. R. 5. WHEREAS the pay of active members of the armed forces of the United States is recomputed at certain intervals in order to reflect the rise of the cost of living index and career military personnel have labored under the belief that their retirement pay would be recomputed at the same time and in the same manner as is the pay of active military personnel; and

WHEREAS retired members of the armed forces have served their country in time of need, and richly deserve to receive the amount of pay upon which they have relied and confidently believed would be paid; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Congress of the United States be memorialized to enact such measures as may be necessary to provide that the pay of retired military personnel be recomputed on the same base and at the same time, as is the pay of active members of the armed forces.

RESOLVED FURTHER, That each member of Alabama's Congressional Delegation be urged to give this matter his consideration and support.

RESOLVED ALSO, That a copy of this resolution be sent to the Congress of the United States, to each member of Alabama's delegation in Congress and to the chairmen of the House and Senate Armed Forces Committees.

On motion of Mr. McCarley, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 6. BE IT RESOLVED by the Senate, that when they adjourn today, they adjourn to meet again on Thursday, May 22, 1969.

BE IT FURTHER RESOLVED BY THE SENATE, THE HOUSE CONCURRING, that when the two Houses adjourn on Thursday, they adjourn to meet again on Tuesday, May 27, 1969.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

MOTION IN WRITING

Mr. Nabors offered the following Motion in Writing, to-wit:

"Motion in Writing

"I now move that Senate Bill 82 be recommitted to the Committee on Immigration, Industrial Resources and Labor.

"Nabors"

Mr. Nabors then offered the following substitute Motion in Writing, to-wit:

"Motion in Writing

"I now move that Senate Bill 82 be committed to the appropriate Standing Committee.

"Nabors"

Which was adopted.

Yeas 23; Nays 10.

Yeas:

Messrs.:	Folsom	Leonard	Pierce
Albea	Giles	McCarley	Radney
Bailes	Givhan	Morrow	Skidmore
Branyon	Goodwyn	Nabors	Torbert
Childs	Hawkins	O'Bannon	Turner
Dominick	Jackson	Pelham	Vacca

—23

Nays:

Messrs.:	Cooper	Harris	McDermott	
Adams	Engel	Lindsey	Oden	
Clark	Gilmore	Lolley		—10

Mr. Turner moved that the Motion in Writing, as amended by the substitute motion, be laid on the table, and the motion to table prevailed.

Yeas 17; Nays 16.

Yeas:

Messrs.:	Engel	Jackson	Morrow	
Adams	Gilmore	Lindsey	Oden	
Childs	Givhan	Lolley	Torbert	
Clark	Goodwyn	McDermott	Turner	
Cooper	Harris			—17

Nays:

Messrs.:	Folsom	McCarley	Pierce	
Albea	Giles	Nabors	Radney	
Bailes	Hawkins	O'Bannon	Skidmore	
Branyon	Leonard	Pelham	Vacca	
Dominick				—16

NOTICE TO AMEND RULES

Pursuant to Rule 33, Mr. Dominick offered the following Notice in Writing, to-wit:

NOTICE IN WRITING

Notice is hereby given, pursuant to Rule 33, that on the next legislative day a motion will be made to amend Joint Rule 4 to read as follows:

4. No bill amending a section or part of the Code by reference to the section or other subdivision of the Code shall be introduced into either house unless the title thereof contains a brief statement of the general subject to which such section or subsection relates.

Which was read and ordered spread upon the Journal.

BILLS ON THIRD READING

The Bill:

S. 51. To provide that all debts incurred under the Acts of Congress commonly known as the National Housing Act and the Acts providing for Veterans' Benefits, as now existing or as they may hereafter be amended or supplemented, shall be legal investments for banks, insurance companies, savings and loan associations, trustees, fiduciaries of all types and for any other person, firm or corporation.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 2.

Yeas:

Messrs.:	Folsom	Lindsey	Pelham	
Adams	Giles	Lolley	Pierce	
Bailes	Gilmore	McCarley	Radney	
Branyon	Goodwyn	McDermott	Skidmore	
Childs	Harris	Morrow	Torbert	
Clark	Hawkins	Nabors	Turner	
Dominick	Jackson	O'Bannon	Vacca	
Engel	Leonard	Oden		—30

Nays: Messrs. Albea, Cooper —2

The Bill:

S. 52. To exempt debts incurred under the Acts of Congress, commonly known as the National Housing Act and the Acts providing for Veterans' Benefits, as now existing or as they may hereafter be amended or supplemented, from usury and interest restrictions of this State.

was taken up.

Mr. Cooper offered the following amendment to the Bill, S.B. 52, to-wit:

AMENDMENT TO S.B. 52

Amend Senate Bill 52 by striking therefrom the whole of Section 1 and inserting in lieu thereof the following:

"Section 1. All debts or extensions of credit incurred pursuant to any provision of the Act of Congress known as the National Housing Act, as the same now exists or may hereafter be amended or supplemented, and all debts or extensions of credit incurred pursuant to any Act of Congress relating to Veterans Benefits, as the same now exists or may hereafter be amended or supplemented, are exempt from any law of this State relating to usury or prescribing or limiting interest rates, providing such interest rates shall not exceed 10%."

On motion of Mr. Torbert, said amendment was laid on the table.

Yeas 23; Nays 9.

Yeas:

Messrs.:	Engel	McDermott	Radney	
Adams	Giles	Morrow	Skidmore	
Bailes	Gilmore	Nabors	Stone	
Branyon	Harris	O'Bannon	Torbert	
Childs	Hawkins	Oden	Turner	
Clark	Jackson	Pierce	Vacca	
				—23

Nays:

Messrs.:	Folsom	Lindsey	McCarley	
Cooper	Goodwyn	Lolley	Pelham	
Dominick	Leonard			—9

PAIRED VOTE ANNOUNCED

Mr. Albea announced that he was paired with Mr. Givhan on this vote; that if Mr. Givhan were present he would vote "Aye", and that he, Mr. Albea, would vote "Nay".

Mr. Cooper then offered the following amendment to the Bill, S. B. 52, to-wit:

AMENDMENT #2 TO S. B. 52

Amend Senate Bill 52 by striking therefrom the whole of Section 1 and inserting in lieu thereof the following:

"Section 1. All debts or extensions of credit incurred pursuant to any provision of the Act of Congress known as the National Housing Act, as the same now exists or may hereafter be amended or supplemented, and all debts or extensions of credit incurred pursuant to any Act of Congress relating to Veterans Benefits, as the same now exists or may hereafter be amended or supplemented, are exempt from any law of this State relating to usury or prescribing or limiting interest rates, providing such interest rates shall not exceed 12%."

On motion of Mr. Torbert, said amendment was laid on the table.

Yeas 20; Nays 12.

Yeas:

Messrs.:	Gilmore	Morrow	Skidmore	
Adams	Harris	Nabors	Stone	
Bailes	Hawkins	O'Bannon	Torbert	
Childs	Jackson	Pierce	Turner	
Clark	McDermott	Radney	Vacca	
Giles				—20

Nays:

Messrs.:	Dominick	Goodwyn	Lolley	
Albea	Engel	Leonard	McCarley	
Branyon	Folsom	Lindsey	Pelham	
Cooper				—12

And said Bill, S. B. 52, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 5.

Yeas:

Messrs.:	Engel	Lolley	Radney	
Adams	Giles	McDermott	Skidmore	
Bailes	Gilmore	Morrow	Stone	
Branyon	Goodwyn	Nabors	Torbert	
Childs	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Dominick	Leonard	Pierce		—26

Nays:

Messrs.:	Folsom	McCarley	Pelham	
Cooper	Lindsey			—5

PAIRED VOTE ANNOUNCED

Mr. Albea announced that he was paired with Mr. Givhan on this vote; that if Mr. Givhan were present he would vote "Aye", and that he, Mr. Albea, would vote "Nay".

The Bill:

S. 53. To permit corporations to pay such rates of interest on the loan or forbearance of money as such borrower may agree to pay without regard to any provision of law limiting interest rates, and denying to such borrower and to other persons who may become liable thereon the right to claim or raise the defense of usury.

was taken up.

Mr. Cooper offered the following amendment to the Bill, S.B. 53, to-wit:

AMENDMENT TO S.B. 53

Amend Senate Bill 53 by striking therefrom the whole of Section 1 and inserting in lieu thereof the following:

"Section 1. Any domestic or foreign corporation organized for profit, may agree to pay such rate or rates of interest for the loan or forbearance of money on loans of less than twenty thousand dollars ($20,000.00) not to exceed 10% interest; on loans of twenty thousand dollars ($20,000.00) to one hundred thousand dollars ($100,000.00) not to exceed 12% interest and on loans in excess of one hundred thousand dollars ($100,000.00) as such corporation may determine notwithstanding any law of this state otherwise prescribing or limiting such rate or rates of interest. As to any such agreement, neither such corporation, its successors or assigns, nor any surety guarantor, endorser, or any other person, firm or corporation, which may become liable, in whole or in part, for the payment of the debt and interest agreed to be paid thereon, or under any extension, amendment or renewal thereof, may raise or claim the defense or benefit of the usury laws or any other law prescribing, regulating or limiting such rate or rates of interest."

On motion of Mr. Torbert, said amendment was laid on the table.

Yeas 18; Nays 10.

Yeas:

Messrs.:	Engel	Morrow	Skidmore	
Bailes	Gilmore	Nabors	Torbert	
Branyon	Harris	Oden	Turner	
Childs	Hawkins	Pierce	Vacca	
Clark	McDermott	Radney		—18

Nays:

Messrs.:	Dominick	Jackson	McCarley	
Albea	Folsom	Lindsey	Pelham	
Cooper	Giles	Lolley		—10

Mr. Torbert offered the following amendment to the Bill, S.B. 53, to-wit:

AMENDMENT TO S.B. 53

Amend Senate Bill 53 by changing the period at the end of Section 1. to a comma and adding the following: provided, however, this shall not apply to the loan or forbearance of money having an original balance of less than Ten Thousand ($10,000.00) Dollars.

Mr. Goodwyn moved that said amendment be laid on the table, which motion was lost.

Yeas 14; Nays 18.

Yeas:

Messrs.:	Engel	O'Bannon	Skidmore	
Branyon	Gilmore	Oden	Stone	
Childs	Goodwyn	Pierce	Turner	
Clark	McDermott	Radney		—14

Nays:

Messrs.:	Dominick	Jackson	Nabors	
Adams	Folsom	Lindsey	Pelham	
Albea	Giles	Lolley	Torbert	
Bailes	Harris	McCarley	Vacca	
Cooper	Hawkins	Morrow		—18

And said amendment to the Bill, S.B. 53, was then adopted.

Yeas 22; Nays 8.

Yeas:

Messrs.:	Cooper	Hawkins	Nabors	
Adams	Dominick	Jackson	O'Bannon	
Albea	Engel	Lindsey	Pelham	
Bailes	Folsom	Lolley	Skidmore	
Branyon	Giles	McCarley	Torbert	
Childs	Gilmore	Morrow		—22

Nays:

Messrs.:	McDermott	Pierce	Stone	
Clark	Oden	Radney	Turner	
Goodwyn				—8

Mr. Dominick offered the following amendment to the Bill, S.B. 53, as amended, to-wit:

AMENDMENT TO S.B. 53

In Section 1, strike the first sentence and insert in lieu thereof the following: Any domestic or foreign corporation, organized for profit, may agree to pay such rate or rates of interest, not in excess of 15%, for the loan or forbearance of money as such corporation may determine, notwithstanding any law of this state otherwise prescribing or limiting such rate or rates of interest.

Mr. Torbert moved that said amendment be laid on the table, which motion was lost.

Yeas 12; Nays 15.

Yeas:

Messrs.:	Jackson	Morrow	Stone
Adams	Lolley	Nabors	Torbert
Clark	McCarley	Pierce	Turner
Gilmore			—12

Nays:

Messrs.:	Childs	Harris	O'Bannon
Albea	Dominick	Hawkins	Pelham
Bailes	Folsom	Lindsey	Radney
Branyon	Goodwyn	McDermott	Skidmore
			—15

And said amendment to the Bill, S.B. 53, as amended, was then adopted.

Yeas 20; Nays 11.

Yeas:

Messrs.:	Dominick	Harris	O'Bannon
Albea	Engel	Hawkins	Pelham
Bailes	Folsom	Lindsey	Radney
Branyon	Gilmore	Lolley	Skidmore
Childs	Goodwyn	McDermott	Vacca
Cooper			—20

Nays:

Messrs.:	Jackson	Nabors	Stone
Adams	McCarley	Oden	Torbert
Clark	Morrow	Pierce	Turner
			—11

Mr. Pelham offered the following amendment to the Bill, S.B. 53, as amended, to-wit:

AMENDMENT TO S.B. 53, AS AMENDED

Amend Senate Bill 53 by adding thereto Section 1 (b) which shall read as follows:

Section 1 (b): This Act shall not apply to a loan or forbearance of money made primarily for a personal, family, household, or agricultural purpose.

MOTION TO ADJOURN LOST

At 5 o'clock P.M., Mr. Cooper moved that the Senate adjourn until Thursday, May 22, 1969, at 12 o'clock Noon, which motion was lost.

Yeas 13; Nays 16.

Yeas:

Messrs.:	Giles	O'Bannon	Pierce
Adams	Jackson	Oden	Skidmore
Albea	Lolley	Pelham	Stone
Cooper	McCarley		—13

Nays:

Messrs.:	Dominick	Goodwyn	Morrow
Bailes	Engel	Harris	Nabors
Branyon	Folsom	Hawkins	Torbert
Childs	Gilmore	Lindsey	Vacca
Clark			—16

FURTHER CONSIDERATION OF S.B. 53

The Senate proceeded to further consideration of the Bill, S.B. 53, as amended. The question was on the amendment offered by Mr. Pelham.

And said amendment was then adopted by the Senate.

Yeas 28; Nays 2.

Yeas:

Messrs.:	Dominick	Lindsey	Oden
Adams	Engel	Lolley	Pelham
Albea	Folsom	McCarley	Pierce
Bailes	Giles	McDermott	Skidmore
Branyon	Gilmore	Morrow	Stone
Childs	Harris	Nabors	Torbert
Clark	Hawkins	O'Bannon	Vacca
Cooper			—28

Nays: Messrs. Goodwyn, Turner —2

Mr. Albea offered the following amendment to the Bill, S.B. 53, as amended, to-wit:

AMENDMENT TO S.B. 53

Amend Section 1 of S.B. 53 by deleting the second sentence thereof and substituting in lieu thereof the following:

"As to any such agreement, neither such corporation, its corporate successors or corporate assigns, nor any corporate surety, corporate endorser, or any other corporation, which may become liable, in whole or in part, for the payment of the debt and interest agreed to be paid thereon, or under any extension, amendment or renewal thereof, may raise or claim the defense or benefit of the usury laws or any other law prescribing, regulating or limiting such rate or rates of interest."

On motion of Mr. Torbert, said amendment was laid on the table.

Yeas 17; Nays 10.

Yeas:

Messrs.:	Giles	Morrow	Pierce
Adams	Gilmore	Nabors	Stone
Branyon	Goodwyn	O'Bannon	Torbert
Clark	Harris	Oden	Turner
Engel	McDermott		—17

Nays:

Messrs.:	Childs	Lindsey	Pelham
Albea	Dominick	Lolley	Skidmore
Bailes	Folsom	McCarley	—10

And said Bill, S.B. 53, as amended, was then read a third time at length and passed.

Yeas 23; Nays 6.

Yeas:

Messrs.:	Dominick	Hawkins	Oden	
Adams	Engel	McCarley	Pierce	
Bailes	Giles	McDermott	Stone	
Branyon	Gilmore	Morrow	Torbert	
Childs	Goodwyn	Nabors	Turner	
Clark	Harris	O'Bannon	Vacca	
				—23

Nays:

Messrs.:	Folsom	Lolley	Skidmore	
Cooper	Lindsey	Pelham		—6

PAIRED VOTE ANNOUNCED

Mr. Albea announced that he was paired with Mr. Givhan on this vote; that if Mr. Givhan were present he would vote "Aye", and that he, Mr. Albea, would vote "Nay".

ADJOURNMENT

At 5:15 P.M., on motion of Mr. Torbert, in accordance with Joint Resolution heretofore adopted by the Senate, the Senate adjourned until Thursday, May 22, 1969, at 12 o'clock Noon.

FOURTH LEGISLATIVE DAY

THURSDAY, MAY 22, 1969

The Senate met pursuant to adjournment, President Pro Tempore Goodwyn presiding.

PRAYER

The Session was opened with prayer by the Reverend Douglas H. Miller, Assistant Minister, First Presbyterian Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McCarley	Skidmore	
Branyon	Gilmore	McDermott	Stone	
Carr	Givhan	Morrow	Torbert	
Childs	Goodwyn	Nabors	Turner	
Clark	Harris	O'Bannon	Vacca	
Cooper	Hawkins	Oden		—34

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Third Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Mr. Leonard for today.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 53. To permit corporations to pay such rates of interest on the loan or forbearance of money as such borrower may agree to pay without regard to any provision of law limiting interest rates, and denying to such borrower and to other persons who may become liable thereon the right to claim or raise the defense of usury.

LELAND CHILDS,
Chairman.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 9. Expressing appreciation to Colonel Carleton K. Butler, Professor of Music and Director of Bands at the University of Alabama, upon his retirement after thirty-four years of outstanding service.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing message from the House.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Stone, Turner, Clark, Torbert, Adams:

S. 309. To provide for organizing industrial development corporations; provide for definitions; provide the purpose of such corporations; provide that such corporations may be organized under the general laws of Alabama, subject to certain limitations; provide that such corporations may borrow money from members and issue securities and evidences of indebtedness and secure same; provide said corporations may make loans, may acquire the good will, business and assets of persons, firms, and corporations and may acquire real estate and use the same for the purposes of the corporation; provide that corporations organized under the laws of Alabama or transacting business in Alabama are authorized to purchase, hold, and dispose of the securities of industrial development corporations; provide that financial institutions are authorized to become members and make loans to such corporations, subject to certain limitations; provide that financial institutions are authorized to acquire the securities and stock of such corporations; provide such corporations shall set aside a portion of earned surplus from year to year as a reserve fund; provide for selecting depositories for funds of such corporations; provide such corporations shall be subject to examination by a certified public accountant and shall file reports with the Secretary of State; provide for the management of such corporations by a board of directors, a president and officers; provide for the dissolution of such corporations; provide that such corporations shall be state development companies as defined in the Small Business Act of 1958; provide for the payment of annual occupational license tax; provide an effective date.

Committee on Banking.

By Messrs. Folsom, Branyon, Lolley and Oden:

S. 310. To amend Section 2 of Act No. 870, H. 200, Regular Session, 1961 (Acts of 1961, page 1365) entitled "An Act to amend Sections 1, 2, 6 and 9 of Act No. 343, approved August 20, 1957, entitled 'An Act to provide further for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of any state department, board, bureau, commission, committee, institution, corporation, authority, or office and prescribing penalties.' "

Committee on Judiciary.

By Messrs. Folsom, Branyon, Lolley, Oden and Torbert:

S. 311. To make an appropriation to the Department of Agriculture and Industries for the two fiscal years ending September 30, 1970 and Sep-

tember 30, 1971, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera.

Committee on Finance and Taxation.

By Messrs. Folsom, Branyon, Lolley and Oden:

S. 312. Relating to taxation: To exempt drugs and medications, vitamins, minerals, and other nutrients used in the production of livestock and poultry from the State sales and use tax.

Committee on Finance and Taxation.

By Messrs. Folsom, Branyon, Lolley and Oden:

S. 313. Relating to taxation, making further exemptions from State sales and use taxes.

Committee on Finance and Taxation.

By Mr. Torbert:

S. 314. To repeal Sections 21, 22, 23, 25 and 92 of Title 13, Code of Alabama 1940.

Committee on Judiciary.

By Mr. Torbert:

S. 315. To amend Section 17 of Title 19 of the Code of Alabama of 1940 relating to appeals to Circuit Court from the order of condemnation.

Committee on Judiciary.

By Mr. Torbert:

S. 316. To prohibit the sale or delivery of certain harmful materials to minors; to define certain terms; to provide that it shall be unlawful to exhibit to minors certain prohibited practices; to provide that it shall be unlawful for minors to falsely represent their age to gain access to prohibited practices; to provide for procedures for the commencement of enforcement and for application for the declaratory judgment; to provide that it shall be unlawful for any person to make false representation that he is the parent or guardian of a minor for the purpose of gaining such minor access to prohibited practices; to place certain limitations upon the prosecution of persons accused of violating this act; to provide for exceptions; to provide for penalties; to provide the procedures connected with the foregoing; to provide an effective date; to repeal conflicting laws; and for other purposes.

Committee on Judiciary.

By Mr. Turner:

S. 317. Relating to telephone communications, limiting the number of subscribers for which service may be provided on any one line of communication.

Committee on Public Buildings and Grounds.

By Mr. Engel:

S. 318. To propose and provide for the submission of an amendment to the Constitution of Alabama to amend Amendment CCLXIX to said constitution proposed by Act No. 274, H. 297, Regular Session 1967 authorizing counties and municipalities to levy and collect additional property taxes for public library purposes, so as to provide further for the rate of the tax and the manner in which elections under this amendment shall be called.

Committee on Municipalities and
Municipal Organizations.

The above Bill was read a first time at length as required by the Constitution.

By Mr. McDermott:

S. 319. To amend further Section 704, Title 51, Code of Alabama 1940, as amended, so as to require persons, firms or corporations to make affidavit as to the location of their legal residence.

Committee on Municipalities and
Municipal Organizations.

By Messrs. Radney and Torbert:

S. 320. To amend further Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

Committee on Judiciary.

By Messrs. Bailes, Gilmore, Vacca, Dominick, Hawkins, Carr and Morrow:

S. 321. To provide for the purchase, operation and maintenance of The Temple of the Vestal Virgins in the City of Vestavia in Jefferson County as a state park; and to make an appropriation for such purpose.

Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Fite:

H. 91. To amend Code of Alabama 1940, Title 35, Section 102, which provides exemptions from state toll bridge and tunnel fees, and automobile fees to certain members of the state militia, so as to extend the exemption relative to automobile fees to noncommissioned officers and enlisted men in the active national guard of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H.B. 91. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Owen (Baldwin) and Brannan:

H. 1. Relating to all counties having populations of not less than 48,100 nor more than 49,700 according to the most recent federal decennial census; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the probate judge; requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general fund of the county; and defining terms.

Also:

By Messrs. Merrill and Lybrand:

H. 16. To amend Section 3 of Act No. 441, Acts of Alabama, Regular Session 1967, page 1114, relating to all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent Federal decennial census, further regulating the compensation and allowances of the chairmen and members of the court of county commissioners, board of revenue, or other like county governing body; to provide for actual expenses for travel outside the county on county business and to validate payments heretofore made for such travel.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H.B.'s 1 and 16. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 1. Commending Representative Bank and Mr. Inman for achieving the highest recognition from the members of their profession, and expressing pride, and that of the people of Alabama that this professional organization has chosen to reward such deserving public servants.

Also:

S. J. R. 2. Congratulating Mr. Ronald Hyche and each member of the Handley High Band for the excellence of the band's performance, not only in Knoxville but throughout this season.

Also:

S. J. R. 3. With reference to certain employees of the Legislature being covered under Employees' Retirement System of Alabama.

Also:

S. J. R. 4. Relating to printing Acts of the 1969 Extraordinary Session with the Acts of the 1969 Regular Session.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 6. Relative to adjournment of the two Houses.

Also:

S. J. R. 5. Relative to pay of military personnel, memorializing Congress to enact certain measures.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Brown, Robertson, Bank and Culver:

H. J. R. 19. WHEREAS, Dr. Simril F. Bryant, the pastor of the First Presbyterian Church of Tuscaloosa, has retired from the active ministry after forty-one years of continuous service, having spent twenty-two of those years as minister of the First Presbyterian Church of Tuscaloosa; and

WHEREAS, Dr. Bryant is loved and admired by all of those with whom he has come in contact over the years, and has served his people well, and has served his county and his community far beyond the call of duty; and

WHEREAS, in the continuous effort to serve the people of Tuscaloosa and Alabama, Dr. Bryant is past president of the Tuscaloosa Ministerial Association, a former trustee of Stillman College, and has served as Moderator of the Synod of Alabama of the Presbyterian Church; and

WHEREAS, Dr. Bryant is listed in Who's Who of the South and Southeast, and is a member of the Chamber of Commerce of Tuscaloosa, a member of the Tuscaloosa County Mental Health Association, a member of the County Welfare Board, and Kiwanis Club; and

WHEREAS, in the performance of his pastoral duties in the City of Tuscaloosa over the past twenty-two years he has endeared himself to the hearts of many University students over all parts of Alabama and the southland, and will continue to exert a great influence for good over the lives of those with whom he came in contact.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, both houses thereof concurring, that this Legislature does acclaim the activities of Dr. Bryant over the years, and does now congratulate him upon his reaching the age of retirement.

BE IT FURTHER RESOLVED that this Legislature does wish for him a long and continued life of happiness in his retirement.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded by the Clerk of the House to Dr. Bryant, and that a copy be forwarded to the Chairman of the Board of Deacons of the First Presbyterian Church of Tuscaloosa, Alabama.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Dr. R. Mathew Lynn, Moderator of the General Assembly of the Presbyterian Church of the United States.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, H. J. R. 19, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Merrill, Lybrand, Fite, Adwell, Agee, Bank, Bassett, Beck, Berryman (R), Blanton, Bowers, Brannan, Brassell, Brown, Cameron, Cherner, Collier, Collins (C), Collins (W), Cook (Coffee), Cook (Jefferson), Crane, Crawford, Culver, Dill, Dobbs, Doss, Downing, Drake, Edington, Ellis, Fine, Foshee, Gafford, Garrett, Gloor, Grainger, Grayson, Hain, Hardin, Harper, Harris, Haygood, Headley, Higginbotham, Hill, Hobbie, Holladay, Holman, House, Jackson (F), Jackson (T), Jones, Kilgore, Lemley, Lyons, Malone, Manley, Marr, Mathews, Mays, McCorquodale, McElhaney, Meade, Meeks, Melton, Money, Neville, Owen (Baldwin), Owens (W), Owens (W.E.), Paulk, Pearson, Perloff, Pruitt, Robertson, Sessions, Shumate, Slate, Smith, Snell, Steagall, Stembridge, Stubbs, Tuck, Turnham, Waggoner, Weeks, Wood, Wright, Yeilding, Young:

H. J. R. 18. WHEREAS we are deeply grieved to learn of the death this morning of Mr. Josh R. Burgess, father of our beloved colleague, Representative Ray Burgess of Calhoun County; and

WHEREAS Mr. Burgess, resident of Duke, Alabama and life long native of Calhoun County, was a member of the Methodist Church and of Masonic Lodge number 574. He was highly regarded and greatly loved by a host of friends and admirers who join his family in mourning his death; and

WHEREAS Mr. Burgess passed away at Stringfellow Hospital in Anniston after a long and continuing illness. His funeral will be held tomorrow afternoon at three o'clock at the Union Methodist Church in Duke, Alabama with interment in the Union Hill Cemetery; and

WHEREAS Mr. Burgess is survived by his widow, Mrs. Gladys Burgess, one other son Charles, in addition to our close and warm friend, Ray to whom we extend special condolences; and a daughter, Miss Peggy Jane, all of Duke, Alabama; a brother, Mr. Tommy and a sister Miss Nannie Richie, both of Ohatchee, Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of Mr. Josh R. Burgess and extend our deep and heartfelt sympathy to the members of his family to whom copies of this resolution shall be sent.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Albea, the Rules were suspended and the Resolution, H. J. R. 18, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Albea:

S. 275. Proposing an amendment to the Constitution of Alabama relative to a special district ad valorem tax for public school purposes in each school district of Calhoun County except the school district comprising the City of Anniston.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Jackson:

S. 294. Relating to counties having a population of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; further regulating the salary of the chief clerk of the county governing body.

By Mr. Jackson:

S. 295. Relating to the office of the sheriff in all counties having populations of not less than 32,200 nor more than 35,000 according to the most recent federal decennial census; providing salary increases for certain deputies and employees of the sheriff; authorizing the employment of additional deputies and providing for their assignment, duties and compensation.

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Radney:

S. 134. To provide for the depositing of a valid Driver License in lieu of bail for violation of certain traffic laws of incorporated municipalities.

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Radney (with substitute):

S. 135. To amend Section 455, Title 37, Code of Alabama 1940.

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Radney:

S. 138. To authorize the governing bodies of municipal corporations of this state to elect a deputy recorder or deputy recorders; such deputy recorders, when so elected and serving, shall have and possess the identical power and authority granted by law to recorders; providing for the term of office and salary of such deputy recorders.

By Mr. Giles:

S. 139. To authorize political subdivisions to enter into agreements for joint or cooperative action between themselves, a state or the United States and prescribing the procedures therefor.

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Giles (with amendment):

S. 140. To provide an additional, alternative procedure whereby cities and towns may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. McDermott:

S. 146. To authorize a qualification fee for all candidates in municipal elections held in this state, prescribing the manner and time of the fixing of such fees and imposing a limit in the amount thereof.

By Mr. McDermott:

S. 147. To amend Section 772 of Title 37, Code of Alabama 1940.

By Mr. McDermott:

S. 148. To amend further Section 773, Title 37, Code of Alabama 1940, as amended.

By Mr. McDermott:

S. 149. To amend Section 774, Title 37, Code of Alabama 1940.

By Mr. McDermott:

S. 150. To amend Section 776 of Title 37, Code of Alabama 1940.

By Mr. McDermott:

S. 151. To amend Section 777, Title 37, Code of Alabama 1940.

By Mr. McDermott:

S. 152. To amend further Section 778, Title 37, Code of Alabama 1940, as amended.

By Mr. McDermott:

S. 153. To amend further Section 188 of Title 37 of the Code of Alabama, 1940, as amended by Act Number 642, Acts of the Legislature of Alabama, 1947 (General Acts Alabama 1947, page 495), which relates to mode of consolidating contiguous municipalities.

By Mr. McDermott:

S. 154. To amend Section 156, Title 41, Code of Alabama 1940.

By Mr. McDermott:

S. 155. To amend Section 13 of Title 37, Code of Alabama 1940.

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Giles (with substitute):

S. 156. To amend further Section 10, Title 37, Code of Alabama 1940, as amended, relating to the incorporation of municipalities.

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. McDermott:

S. 157. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

By Mr. McDermott:

S. 158. To confer on each municipality in the state the power to acquire and develop industrial parks and to expend moneys for such purpose, and the power to sell property forming a part of an industrial park for not less than the reasonable market value of the property so sold as established by independent appraisals.

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. McDermott (with amendment):

S. 159. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. McDermott:

S. 160. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

Mr. Turner, Chairman of the Standing Committee on Public Building and Grounds, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Clark:

S. 301. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding $3,000,000.00 in aggregate principal amount.

By Mr. Clark:

S. 302. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding $3,000,000.00 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure de-

posits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an oblibation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the Special Tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority, to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

By Messrs. Goodwyn and Pierce:

S. 303. To amend Act No. 403, Section 2, Acts of Alabama 1967, Vol. II, Page 1016, which provides for the sale of bonds in the amount of $5,000,000 for the purpose of constructing and equipping a four year college or branch of Auburn University.

RESOLUTIONS

Mr. Turner offered the following Senate Resolution, to-wit:

S. R. 7. RESOLVED, That the five members of the Legislative Committee on Public Accounts, the four members of the Building Commission, and the four members of the Legislative Council who were elected at the last regular session, be, and they hereby are re-elected to their respective places to serve until their successors are elected as prescribed by law.

Which was read and referred to the Standing Committee on Rules.

Mr. Turner offered the following Senate Joint Resolution, to-wit:

S. J. R. 8. WHEREAS, plans have been made by the Legislative Advisory Council of the Southern Regional Education Board for the 18th annual Legislative Work Conference on Southern Regional Education for July 10-11 at the Velda Rose Towers, Hot Springs, Arkansas, and

WHEREAS, each Governor customarily appoints a delegation of key legislators to participate in the Work Conference, and

WHEREAS, it is deemed beneficial to the interest of the State to have a delegation of key legislators attend this Conference, and

WHEREAS, the Governor of Alabama has been requested to designate members of the Legislature to attend said Conference;

NOW, THEREFORE, the Senate of Alabama, the House of Representatives, concurring, that an amount be appropriated out of the General Fund for legislative expenses to cover the expenses which may be incurred by said members who are appointed by the Governor to attend said Conference.

On motion of Mr. Turner, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Morrow offered the following Senate Joint Resolution, to-wit:

S. J. R. 9. WHEREAS, on May 7, 1915, the S. S. Lusitania was sunk by a German submarine off the Irish coast, there being more than 100 American citizens aboard. This was an affront to the people of the United States of America, a basic challenge to the principles upon which our country was founded, FREEDOM, freedom of the Air, Sea and the individual.

WHEREAS, our government made every effort to effect a settlement of the conflict which had been raging against other free nations of the world for more than two years.

WHEREAS, the German submarines continued to sink ships on the high seas including a number of ships flying the American flag.

WHEREAS, this being a direct challenge to a nation of people who was dedicated to the principles of FREEDOM and the pursuit of happiness.

WHEREAS, on April 6, 1917, President Woodrow Wilson signed a Declaration of War against Germany, approved by both Houses of Congress.

WHEREAS, every qualified citizen in Alabama answered the call of our country to defend the principles we hold dear, without complaint or resentment.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we wish to take this means of HONORING the Veterans of World War I of the State of Alabama for their unselfish service in defending our State and Nation in 1917 and 1918.

RESOLVED FURTHER, That copies of this resolution be sent to E. C. Stuckey, Veterans of World War I, Jeff Davis Barracks 1964, P. O. Box 7086, Montgomery, Alabama, host for the Annual State Convention, to be held on July 24, 25, and 26, 1969.

On motion of Mr. Morrow, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING

The Bill:

S. 37. Relating to education; requiring local boards of education to provide financial assistance for handicapped children enrolled in day centers and special schools.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Pelham	
Adams	Giles	Lolley	Pierce	
Albea	Gilmore	McCarley	Radney	
Bailes	Givhan	McDermott	Skidmore	
Branyon	Goodwyn	Morrow	Stone	
Carr	Harris	Nabors	Turner	
Clark	Hawkins	O'Bannon	Vacca	
Dominick	Jackson			—29

Nays: —0

MOTION IN WRITING

Mr. Dominick offered the following Motion in Writing, to-wit:

"MOTION IN WRITING

In accordance with the notice in writing filed on the last legislative day, I now move that Joint Rule 4 be amended to read as follows:

4. No bill amending a section or part of the Code by reference to the section or other subdivision of the Code shall be introduced into either house unless the title thereof contains a brief statement of the general subject to which such section or subsection relates.

"Dominick"

Which was read and referred to the Standing Committee on Rules.

MOTION IN WRITING

Mr. McCarley offered the following Motion in Writing, to-wit:

"Motion in Writing

I move to recommit SB 235 to the Committee on Military.

"McCarley"

Mr. Turner moved that the Motion in Writing be laid on the table, which motion was lost.

Yeas 8; Nays 23.

Yeas:

Messrs.:	Goodwyn	Pierce	Torbert
Adams	Lindsey	Stone	Turner
Gilmore			—8

Nays:

Messrs.:	Dominick	Jackson	O'Bannon
Albea	Folsom	Lolley	Oden
Bailes	Giles	McCarley	Pelham
Branyon	Givhan	McDermott	Radney
Carr	Harris	Morrow	Skidmore
Clark	Hawkins	Nabors	Vacca
			—23

The question recurred on the Motion in Writing offered by Mr. McCarley, which was adopted, and the President and Presiding Officer of the Senate ordered the Bill, SB 235, removed from the calendar and recommitted to the Standing Committee on Military.

MOTION TO ADJOURN

Mr. Cooper moved that when the Senate adjourns today, it adjourn to meet again on Tuesday, May 27, 1969, at 1 o'clock P.M., which motion was adopted.

BILLS ON THIRD READING RESUMED

The Bill:

S. 82. To be known as the Alabama Consumer Credit Code, relating to certain consumer and other credit transactions and constituting the uniform consumer credit code; consolidating and revising certain aspects of the law relating to consumer and other loans, consumer and other sales of goods, services and interests in land, and consumer leases; revising the law relating to usury; regulating certain practices relating to insurance in consumer credit transactions; providing for administrative regulation of certain consumer credit transactions; making uniform the law with respect thereto; and repealing inconsistent legislation, including the following laws and parts of law: Code of Alabama 1940: Title 9, § § 61, 65, and 66; Title 28, § 296; and Title 51, § 495 as amended by Act No. 680, General Acts of Alabama, Regular Session (1953); and Act No. 374 General Acts of Alabama, Regular Session 1959, known as the Alabama Small Loan Act; and to amend the following laws:

Code of Alabama 1940: Title 9, § 60; and Title 5, § 120.

was taken up.

On motion of Mr. Turner, consideration of the Bill, SB 82, was postponed until the next Legislative Day.

The Bill:

S. 81. To repeal subsection (2) of Section 14 of Act No. 374, General Acts of Alabama, Regular Session 1959, known as the Alabama Small Loan Act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McCarley	Stone	
Branyon	Gilmore	McDermott	Torbert	
Carr	Goodwyn	Morrow	Turner	
Clark	Harris	Nabors	Vacca	
Cooper	Hawkins	O'Bannon		—30

Nays: —0

The Bill:

S. 44. To Regulate The Establishment And Operation Of Separate Accounts By Life Insurance Companies Incorporated Under The Laws Of This State In Connection With Certain Individual And Group Contracts Providing Benefits Payable In Fixed Or In Variable Dollar Amounts, Or In Both.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 30; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Pelham
Adams	Folsom	Lindsey	Pierce
Albea	Giles	Lolley	Radney
Bailes	Gilmore	McCarley	Skidmore
Branyon	Givhan	McDermott	Torbert
Carr	Goodwyn	Morrow	Turner
Cooper	Harris	Nabors	Vacca
Dominick	Hawkins	O'Bannon	—30

Nays: —0

ADJOURNMENT

At 1:25 P.M., on motion of Mr. Cooper, in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, May 27, 1969, at 1 o'clock P.M.

FIFTH LEGISLATIVE DAY

TUESDAY, MAY 27, 1969

The Senate met pursuant to adjournment, President Pro Tempore Goodwyn presiding.

PRAYER

The Session was opened with prayer by the Reverend Reynolds Ellisor, Minister, Asbury Methodist Church, Ozark, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

—35

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of

the Senate for the Fourth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, Jr.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Fourth Legislative Day was approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Stone:

S. 322. To amend Act No. 221, H. 40, of the First Special Session of 1965 (Acts, Special Session 1965, p. 288) in relation to the State Textbook Committee, prescribing the number of members thereof, the manner of their appointment, their terms of office and the time for meetings of the committee.

Committee on Education.

By Mr. Albea:

S. 323. Creating a Special Commission to be known as the "Alabama Constitutional Commission", prescribing its purposes, duties and authority, and creating a fund providing appropriations for the payment of its expenses.

Committee on Finance and Taxation.

By Mr. Albea:

S. 324. To propose an amendment to the Constitution of Alabama providing for jury verdicts in civil cases by vote of five-sixths majority of the jurors empaneled.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Albea:

S. 325. Proposing an amendment to the Constitution relating to sessions of the legislature and the compensation and allowances of members.

Committee on Constitution and Constitutional
Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Albea:

S. 326. To amend Section 15 of Title 51, Code of Alabama (1940), which exempts homesteads from state ad valorem taxes.

Committee on Finance and Taxation.

By Messrs. Branyon, Lolley, Carr, Gilmore, Jackson, Givhan and Harris:

S. 327. To provide for the licensing and operation of privately owned hunting preserves; to provide the Director of Conservation with the authority to regulate the operation of such preserves; to provide for the cost of the privilege licenses for operating such preserves; to provide for the distribution of all monies accruing to the State under the provisions of this Act and to provide a penalty for the violation of the provisions of this Act.

Committee on Forestry and Conservation.

By Mr. Skidmore:

S. 328. Relating to actions and parties; providing for maintenance of actions ex delicto against publicly owned and operated hospitals.

Committee on Judiciary.

By Mr. Gilmore:

S. 329. To repeal Act No. 329, H. 714, approved July 1, 1943, as amended, an act relating to construction of farm to market roads (General Acts 1943, p. 311 et seq.).

Committee on Finance and Taxation.

By Mr. Gilmore:

S. 330. To provide for the disposition of unobligated SACP funds which have reverted to the State Highway Department.

Committee on Finance and Taxation.

By Mr. Radney:

S. 331. To repeal Section 381 of Title 13, Code of Alabama 1940.

Committee on Judiciary.

By Mr. Radney:

S. 332. To abate and suspend adoption proceedings pending custody proceedings.

Committee on Judiciary.

By Mr. Radney:

S. 333. To amend Sections 4 and 7 of Act No. 703, General Acts of Alabama 1951.

Committee on Public Welfare and Correctional Institutions.

By Messrs. Cooper, Stone and Vacca:

S. 334. To require all judges and justices of the peace to report each conviction of a traffic violation in their courts to the director of public safety and providing penalties for failures to comply.

Committee on Judiciary.

By Mr. Cooper:

S. 335. To amend Section 291 of Title 46 of the Code of Alabama 1940.

Committee on Public Health.

By Mr. Cooper:

S. 336. To amend Section 259 of Title 46 of the Code of Alabama 1940.

Committee on Public Health.

By Mr. Turner:

S. 337. To amend Act No. 669, Regular Session 1939, known as the Motor Carrier Act of 1939 (General Acts of Alabama, 1939, p. 1064) by imposing a fee for applications for certificates of public convenience and necessity and permits.

Committee on Finance and Taxation.

By Mr. Turner:

S. 338. Relating to juries and jurors; to provide compensation for wage loss sustained by employees required to serve on juries of courts created pursuant to the Constitutions and laws of the United States and the State of Alabama; to repeal conflicting laws and for other purposes.

Committee on Judiciary.

By Mr. Turner:

S. 339. Relating to the blocking of crossings of railroad tracks and public streets, roads and highways by railroad trains or railroad equipment; making it unlawful for any railroad company to order, allow, or permit its trains or equipment to block such streets, roads or highways for more than a specified period of time; requiring such trains or equipment to be cut or so moved as to clear any crossing of any public road, street or highway upon the approach of any emergency vehicle as herein defined; providing for the assessment of fines and penalties against such railroad company for violation thereof; providing that railroad companies shall be responsible for acts of its agents or employees; providing an effective date.

Committee on Judiciary.

By Mr. Turner:

S. 340. To amend further Code of Alabama 1940, Title 24, Section 18, as amended, so as to increase the penalty for obtaining board by fraud or misrepresentation.

Committee on Judiciary.

By Mr. Turner:

S. 341. To provide for the protection of state peace officers for injuries, deaths or property damage, resulting from actions taken to disperse a mob, rout or riot.

Committee on Judiciary.

By Mr. Turner:

S. 342. To provide for the issuing of tags for motor vehicles owned by the State of Alabama, and operated by merit system employees of the state whose classification is that of a peace officer, and to restrict the use of such tags to state peace officers regularly engaged in investigative endeavors and to provide a penalty for fraudulent use.

Committee on Judiciary.

By Mr. Turner:

S. 343. To prohibit any person falsely personating a law enforcement or peace officer and to provide penalties therefor.

Committee on Judiciary.

By Mr. Turner:

S. 344. To repeal Section 67 (1) of Title 36 of the Code of Alabama, 1940, as amended, which extends the period of validity of drivers license for veterans of World War II.

Committee on Judiciary.

By Mr. Turner:

S. 345. To regulate the sale, transfer, possession, or use of chemical weapons, tear gas, nauseating gas, nerve gas, irritant gasses, and other devices of like kind or intent and propelling devices therefor; to provide a penalty therefor, and to further provide for forfeiture and destruction of such devices.

Committee on Judiciary.

By Mr. Turner:

S. 346. To repeal Section 5 (4) of Title 36, Code of Alabama (1940) as amended, which requires endorsement of speeding convictions on driver licenses.

Committee on Judiciary.

By Mr. Turner:

S. 347. To amend Section 2, of Act 822, Acts of 1951, Regular Session, page 1454, approved September 11, 1951, all of which section relates to the liability of the owner of livestock taken up while running at large upon State and Federal Aid highways which have been officially designated as such regularly and customarily patrolled by the State Highway Patrol, or upon the right of ways of such highways.

Committee on Agriculture.

By Mr. Turner:

S. 348. To provide that unlicensed resident drivers to be subject to the same pains and penalties as licensed resident drivers convicted of certain traffic offenses.

Committee on Judiciary.

By Mr. Turner:

S. 349. To levy an additional fee upon applicatants for driver license after such applicant's former license or privilege has been revoked.

Committee on Finance and Taxation.

By Mr. Turner:

S. 350. To provide for the payment of an examination fee by every applicant for a driver license, to fix the amount of such fee and to provide for depositing of funds received therefrom, and to provide for a bond for certain highway patrolmen.

Committee on Finance and Taxation.

By Mr. Turner:

S. 351. To revise and amend Act No. 379, H. 4, 1947 Regular Session, page 271, all of which relates to penalties for operation of motor vehicles upon the highways by persons who are habitual users of narcotic drugs, or who are intoxicated.

Committee on Judiciary.

By Mr. Turner:

S. 352. To revise and amend all of Section 58 (9) of Title 36, 1940 Code of Alabama, as Recompiled 1958, regulating operation of vehicles on the highways.

Committee on Judiciary.

By Mr. Turner:

S. 353. To revise and amend Section 35 of Title 36 of the Code of Alabama (1940) relating to the brakes of motor vehicles.

Committee on Public Roads and Highways.

By Mr. Turner:

S. 354. To revise and amend Section 128 of Title 36 of the Code of Alabama, 1940, relating to the duties of the driver of a vehicle involved in an accident resulting in personal injury or death or damage to vehicle.

Committee on Judiciary.

By Mr. Turner:

S. 355. To revise and amend Section 120 (1) of Title 14 of the 1940 Code of Alabama as amended which pertains to being intoxicated, upon the highways.

Committee on Public Roads and Highways.

By Mr. Turner:

S. 356. To revise and amend Section 428 of Title 13, Code of Alabama (1940), which relates to appeal to Circuit Court from justice of the peace.

Committee on Judiciary.

By Mr. Turner:

S. 357. To amend Section 7 of Act No. 516, Regular Session, 1949, approved August 30, 1949 (Acts of Alabama, Regular Session, 1949, Page 741), to regulate further the use of the highways of the State.

Committee on Public Roads and Highways.

By Mr. Turner:

S. 358. Regulating stopping of vehicles on the highways, and providing for the removal of abandoned or unattended vehicles or other property.

Committee on Public Roads and Highways.

By Mr. Turner:

S. 359. To revise and amend Section 388 of Title 13 of the Code of Alabama, all of which relates to the giving of bond by a justice of the peace before entering upon the duties of his office.

Committee on Judiciary.

By Mr. Turner:

S. 360. To amend all of Section 70 of Title 36 of the 1940 Code of Alabama as amended, all of which refers to the penalty for violation by persons whose license or driving privilege has been canceled, suspended or revoked.

Committee on Judiciary.

By Mr. Turner:

S. 361. To amend Act 171, 1967 Special Session, to require operators and passengers riding two-wheel motorized vehicles to wear protective helmets, prescribing standards for helmets that may be worn, providing for testing such helmets, prohibiting the sale in this State of substandard helmets, imposing responsibility on parents and guardians of juveniles in reference to compliance with the Act, and prescribing penalties.

Committee on Public Health.

By Mr. Turner:

S. 362. To amend Section 100 and Section 104 of Title 15, Code of Alabama, 1940, as amended, both of which relate to search warrants.

Committee on Judiciary.

By Mr. Turner:

S. 363. To amend further Chapter 1 of Title 36, Code of Alabama (1940), so as to require drivers of vehicles to yield the right-of-way to other traffic under certain conditions.

Committee on Judiciary.

By Messrs. Goodwyn, Pierce and Engel:

S. 364. To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

Committee on Finance and Taxation.

By Messrs. Pierce, Radney, Torbert, Lindsey, Engel and Goodwyn:

S. 365. To provide a cost of living increase to certain retired members of the Employees' Retirement System of Alabama.

Committee on Finance and Taxation.

By Messrs. Pierce, Radney, Torbert, Lindsey, Engel and Goodwyn:

S. 366. To amend Sections 3, 5, 7 and 8 of Act No. 515, HB 93, approved July 9, 1945, (General Acts 1945, Page 734) as amended, which relates to the Employees' Retirement System of Alabama.

Committee on Finance and Taxation.

By Messrs. McDermott and Engel:

S. 367. To amend Section 2 of Act No. 287, Acts of Alabama, First Special Session, 1965 (p. 395), entitled, "An Act Relating to cities having populations of not less than 200,000 nor more than 300,000, according to the last or any subsequent federal decennial census; affecting and regulating the commission form of government which now exists or which may hereafter exist in any such cities; prescribing the compensation of the members of the boards of commissioners; perscribing and imposing a qualifying fee upon persons who desire to become candidates for the office of commissioner."

Committee on Local Legislation No. 1.

By Messrs. McDermott and Engel:

S. 368. To provide for the compensation of jurors in Mobile County; repealing conflicting laws and specifically repealing Act No. 62, H. 157, Regular Session 1907, (Acts 1907, p. 68).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation of jurors in Mobile County; repealing conflicting laws and specifically repealing Act No. 62, H. 157, Regular Session 1907, (Acts 1907, p. 68).

Be It Enacted by the Legislature of Alabama:

Section 1. The per diem of jurors, grand and petit, in Mobile County, shall be twelve dollars ($12), which sum shall be the entire compensation of each juror and in lieu of all other per diem, mileage, ferriage and toll heretofore authorized.

Section 2. When proved by oath of the juror before the clerk of the court, it shall be the duty of said clerk to give each juror a certificate stating the number of days the juror has served and the amount of compensation to which he is entitled. Such certificate shall be received in payment of county taxes and other county dues, and shall be payable out of the county treasury.

Section 3. All laws and parts of laws in conflict with this act are hereby repealed and Act No. 62, H. 157, Regular Session 1907, (Acts 1907, p. 68), is specifically repealed.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 5. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

E. E. Koch being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register, daily newspapers, printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register April 11, 18, 25, May 2, 1969.

E. E. KOCH.

Sworn to and subscribed before me this 2 day of May, 1969.

S. S. GATLIN,
Notary Public.

By Messrs. Engel, Cooper and Lolley:

S. 369. Relating to state colleges and universities; authorizing and providing for appointment of police officers to maintain law and order at such institutions.

Committee on Education.

By Messrs. McDermott, Engel, Harris and Clark:

S. 370. To prescribe certain prerequisites for the acceptance of joint deposit savings and checking accounts by certain banking institutions and to prescribe penalties for violations of this act.

Committee on Banking.

By Messrs. Engel, Cooper and McDermott:

S. 371. To abolish the Fort Morgan Historical Commission and to place its powers, duties, personnel, property, and funds under the jurisdiction of the Division of State Parks, Monuments, and Historical Sites of the Department of Conservation and to create the Fort Morgan Historical Advisory Commission.

Committee on Judiciary.

By Mr. Engel:

S. 372. To appropriate the sum of Five Thousand Dollars ($5,000.00) to cover costs incurred by the Game and Fish Division of the Department of Conservation of the State of Alabama in hosting the annual meeting of the Southeastern Association of Game and Fish Commisioners.

Committee on Finance and Taxation.

By Mr. McDermott:

S. 373. To provide for the supervision, management, development, and control of certain State-owned islands in the waters of Alabama.

Committee on Judiciary.

By Messrs. Engel and McDermott:

S. 374. TO AMEND Section 647 of Title 51, Code of Alabama of 1940, to provide for the substitution of the normal Sales and Use Tax for the .07¢ per gallon tax levied by said Section, on gasoline used solely for the fixed and static testing of engines manufactured or re-manufactured in the State of Alabama.

Committee on Finance and Taxation.

By Mr. Jackson:

S. 375. Relating to counties having populations of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

Committee on Local Legislation No. 1.

By Mr. Jackson:

S. 376. To regulate the compensation of jurors in counties having populations of not less than 33,000 nor more than 35,000.

Committee on Local Legislation No. 1.

By Mr. Clark:

S. 377. To amend Act No. 235, S. 97, Regular Session 1967, an act providing for the appointment and compensation of deputies and assistants of the Sheriff of Barbour County, so as to make further provisions respecting the compensation and appointment of jailers.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama at the next regular or special session thereof, to-wit:

To amend Act No. 235, S. 97, Regular Session 1967, an act providing for the appointment and compensation of deputies and assistants of the sheriff of Barbour County, so as to make further provisions respecting the compensation and appointment of jailers.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 235, S. 97, Regular Session 1967, is hereby amended to read as follows:

2. The sheriff of Barbour County may also appoint or employ two jailers whose compensation shall be paid from the county treasury. The salary of each of such jailers shall be fixed by the sheriff, subject to the approval of the board of revenue or other like governing body of Barbour County, at an amount not exceeding $300 a month.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
BARBOUR COUNTY

Before me, Elizabeth Upshaw, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of THE EUFAULA TRIBUNE, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice notice attached was published in said newspaper 4

times, the same appearing in the issues dated: April 15, 22, 29, and May 6.

JOEL P. SMITH.

Sworn to and subscribed before me this the 26 day of May, 1969

ELIZABETH M. UPSHAW,
Notary Public, Barbour Co., Ala.

By Mr. Clark:

S. 378. To provide for the delineation and designation of state planning and development districts and to authorize the governing bodies of counties and municipalities to establish regional planning and development commissions compatible with such state districts.

Committee on Municipalities and Municipal Organizations.

By Mr. Adams:

S. 379. Relating to the Office of the Sheriff of Houston County; providing further for the appointment, number, term, duties and compensation of the deputies of the Sheriff, and repealing conflicting laws, including Act No. 163, H. 765, Regular Session 1965 (Approved July 23, 1965).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the Office of the Sheriff of Houston County; providing further for the appointment, number, term, duties and compensation of the dupties of the Sheriff, and repealing conflicting laws, including Act No. 163, H. 765, Regular Session 1965 (Approved July 23, 1965).

Be It Enacted by the Legislature of Alabama:

Section 1. The Sheriff of Houston County may appoint a total of thirteen deputies, including the Chief Deputy Sheriff, whose compensation shall be paid by the County. All such deputies shall be appointed by the Sheriff, shall serve at the pleasure of the Sheriff, and shall perform such duties as the Sheriff may prescribe. Before entering upon their duties such deputies shall make bond payable to the Sheriff in the sum of $2,000.00, conditioned as required by Section 35, Title 41, Code of Alabama 1940.

Section 2. The salary of the Chief Deputy Sheriff shall be fixed by the Board of Revenue and Control at an amount of not more than $4,860.00 per annum and the salaries of seven Deputy Sheriffs shall be fixed by the Board of Revenue and Control at an amount of not more than $4,200 per annum. The salaries of three Deputy Sheriff who shall serve as jailers shall be fixed by the Board of Revenue and Control at an

amount of not more than $3,540.00 per annum; the salaries of two Deputy Sheriffs who shall serve as bookkeepers shall be fixed by the Board of Revenue and Control at an amount of not more than $3,600.00 per annum. The Board of Revenue and Control may, in its discretion, provide for the compensation of the Chief Deputy and any of the other deputies to be paid, in whole or in part, from the county public highway and traffic fund.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 4. All laws and parts of laws in conflict wth this Act are repealed including Act No. 163, H. 765, Regular Session 1965 (Approved July 23, 1965).

Section 5. This Act shall become effective, immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said county in said State, this day personally appeared Wallace Miller who being by me first duly sworn, deposes and says that during the times herein mentioned Wallace Miller was Advertising Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 20, March 27, April 3, April 10, 1969.

WALLACE MILLER.

Sworn to and subscribed before me this 26th day of May, 1969.

EUGENE S. McCLINTIC,
Notary Public.

By Messrs. Skidmore and Leonard:

S. 380. To amend Section 1 of Act No. 627, Acts of Alabama, Regular Session 1949, entitled An Act to prescribe a procedure and fix the responsibility for maintaining control of the State's personal property and fixing a penalty for neglect of any duty imposed by this Act.

Committee on Public Buildings and Grounds.

By Messrs. Skidmore and Cooper:

S. 381. To prohibit the possession, sale, disposal, use, or explosion of fireworks in Alabama, and to prescribe penalties for any violation of this act or any regulation promulgated under its authority; repealing conflicting laws.

Committee on Public Health.

By Messrs. Nabors and Pierce:

S. 382. To authorize municipalities and county governing bodies to require the inclusion of radioactive fallout protection in new public buildings or structures.

Committee on Public Health.

By Messrs. Nabors and Pierce:

S. 383. To provide for inclusion of shelters from radioactive fallout in new public buildings and structures erected in the state wherein the use of state funds are involved, including all public school buildings and structures and buildings or structures of colleges and universities.

Committee on Public Health.

By Messrs. Torbert and Clark:

S. 384. To provide for the appointment of one additional board member to the Alabama board of cosmetology; to provide for the qualifications, term, authority, duties, responsibilities and compensation of such member; and to provide that this act shall be supplementary to the state cosmetology law as provided by Act No. 78, S. 72, Special Session 1961 (Acts 1961, p. 1955), as amended.

Committee on Finance and Taxation.

By Messrs. Engel, McDermott and Cooper:

S. 385. To provide the board of trustees of the University of South Alabama with additional powers and authority including the right to acquire title to certain real and personal property on Dauphin Island, including the seafood laboratory for marine biology, to be used by said university for purposes of research, instruction and other related purposes; to authorize the conservation department to transfer and convey its interest in and jurisdiction over said property with the exception of certain property and facilities necessary to the conservation department for licensing and law enforcement purposes; to provide for a division of responsibility for such property between the university and the conservation department; to provide that such conveyance shall be subject to the approval of the Mobile Area Public Higher Education Foundation, Inc. and to the terms of the lease agreement between said foundation and the conservation department and to provide for the manner of said conveyance; to authorize the state highway department to construct, reconstruct and maintain roads leading to and within said property including necessary parking area.

Committee on Finance and Taxation.

By Mr. Oden:

S. 386. To amend Section 91 of Title 36 of the Code of Alabama of 1940, as amended, which authorizes the director of the highway department to issue special permits for movement of certain oversize vehicles; so as to further provide for fees for issuance of said permits; and to repeal Section 91 (1) of Title 36 of the Code of Alabama of 1940, as amended.

Committee on Public Roads and Highways.

By Mr. Oden:

S. 387. To provide for abatement of ad valorem taxes on property acquired by condemnation or otherwise by the State of Alabama or any agency or instrumentality thereof.

Committee on Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messers. Engel and McDermott (with notice and proof):

S. 258. To further amend Section 2 of an Act of the Legislature of Alabama being Local Act No. 102 approved June 3, 1943, page 59 of the Local Acts of 1943 as amended by an Act of the Legislature of Alabama being Local Act No. 784 approved September 8, 1961, page 1136 of the Local Acts of 1961, entitled: "To authorize the Sheriff of Mobile County, Alabama, to select and appoint an attorney to advise and counsel him on the operation of such office and to handle all legal matters pertaining to said office; to provide for the manner of the appointment of such attorney, the term of office of such attorney; to provide for the salary of such attorney and the method of payment of such salary."

By Messrs. Engel and McDermott (with notice and proof):

S. 259. Relating to law enforcement in Mobile County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund; repealing conflicting laws, and specifically repealing Act No. 413, H. 941, Regular Session 1965 (Acts 1965, p. 602) as to Mobile County.

By Messers. Engel and McDermott (with notice and proof):

S. 260. Relating to Mobile County: To amend further Section 1 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), placing the Sheriff of Mobile County, Alabama, on a salary basis.

By Mr. Engel:

S. 252. To amend Act No. 812, H. 1282, Regular Session 1965, which authorizes the designation of voting centers and further provides for and regulates the manner of conducting elections in counties in this state having populations of not less than 300,000 nor more than 500,000 inhabitants according to the most recent federal decennial census.

By Messrs. Engel and McDermott:

S. 261. To amend Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, p. 597), relating to the compensation of the chief deputy and certain employees in the sheriff's department in counties having populations of not less than 300,000 nor more than 500,000.

By Mr. Givhan (with notice and proof):

S. 211. To amend further Section 1, Act No. 11, S. 59, Regular Session 1959, as amended, an act fixing the compensation of certain officers of Dallas County.

By Messrs. Merrill and Lybrand:

H. 16. To amend Section 3 of Act No. 441, Acts of Alabama, Regular Session 1967, page 1114, relating to all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent Federal

decennial census, further regulating the compensation and allowances of the chairmen and members of the court of county commissioners, board of revenue, or other like county governing body; to provide for actual expenses for travel outside the county on county business and to validate payments heretofore made for such travel.

By Messrs. Owen (Baldwin) and Brannan:

H. 1. Relating to all counties having populations of not less than 48,100 nor more than 49,700 according to the most recent federal decennial census; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transefrring certain duties and responsibilities of the tax assessor and tax collector to the probate judge; requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general fund of the county; and defining terms.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 1. Commending Representative Bert Bank and Mr. Robert Inman for achieving recognition in their profession.

Also:

S. J. R. 2. Congratulating Mr. Ronald Hyche and each member of the Handley High Band.

Also:

S. J. R. 3. Relative to certain positions in the Legislature covered by the Employees' Retirement System, being credited with services rendered prior to October 1, 1966.

Also:

S. J. R. 4. Requesting that the printed Acts of the 1969 Extraordinary Session be bound with the printed Acts of the 1969 Regular Session.

Also:

S. J. R. 5. Memorializing the Congress of the United States to enact measures to provide that the pay of retired military personnel be recomputed on the same base and at the same time as the active members of the armed forces.

Also:

S. J. R. 6. Relative to the two Houses of the Legislature meeting again on Tuesday, May 27, 1969.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

RESOLUTIONS

Messrs. Hawkins, Morrow, Vacca, Dominick, Childs, Gilmore and Bailes offered the following Senate Joint Resolution, to-wit:

S. J. R. 10. WHEREAS, the American Insurance Association, the firm that grades the cities' fire defenses and physical conditions for insurance purposes, came to Birmingham and surveyed that city's fire department in May 1967, and released their supplemental report in October, 1967; and

WHEREAS, the fire department has a relative value of 1500 points of deficiency that can be charged against it and for each 10 percent or 150 points charged against it a city will drop another class, and in 1959, Birmingham had 466 points charged against the fire department and so they were in Class 4, and in 1967 there were only 300 points charged against it and it was then moved into a Class 2 department; and

WHEREAS, since there are only thirty-eight cities in the United States with a Class 2 fire department, the Birmingham Fire Department was placed in the top one-half of 1 per cent of all fire departments, a record of which to be proud; and

WHEREAS, there are only seven cities in the United States that fall into a Class 1 department, and with the additional men that have been hired by the Birmingham Fire Department and the one new engine company in the eastern section of the City of Birmingham, that city might well be the next city to reach a Class 1 department; now, therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the Alabama Legislature do hereby commend the Birmingham Fire Department and the Birmingham City officials for the outstanding work in achieving this position.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Birmingham Fire Fighters Association 117, the Birmingham City Council and to the Mayor.

On motion of Mr. Hawkins, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Turner offered the following Senate Resolution, to-wit:

S. R. 11. WHEREAS the press of legislative and executive business during the special session just ended has been such that the Governor, Director of Finance, and State Budget Officer have been unavoidably prevented from preparing and transmitting to the two houses the budget document setting forth the Governor's financial program for the ensuing biennium within the time specified in Chapter 4, Title 55, Code 1940; and

WHEREAS additional time for this work is needed and has been requested, now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, That the time for filing the budget document with the Legislature be and hereby is extended until the 10th legislative day.

On motion of Mr. Turner, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 12. BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING, That when the two Houses adjourn today they adjourn to meet again on Thursday, May 29th; and when the two Houses adjourn on May 29th that they adjourn to meet again on Tuesday, June 3rd; and when the two houses adjourn on June 3rd they adjourn to meet again on Wesdnesday, June 4th; and when the two Houses adjourn on June 4th they adjourn to meet again on Tuesday, June 10th.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

MOTION IN WRITING

Mr. McCarley offered the following Motion in Writing, to-wit:

"Motion in Writing

"I move that SB 229 be recommitted to the standing committee on Military."

Which was lost.

Yeas 11; Nays 16.

Yeas:

Messrs.:	Branyon	Folsom	Pelham
Albea	Childs	McCarley	Radney
Bailes	Dominick	Morrow	Skidmore

—11

Nays:

Messrs.:	Goodwyn	McDermott	Pierce
Adams	Harris	Nabors	Stone
Cooper	Lindsey	O'Bannon	Torbert
Engel	Lolley	Oden	Turner
Givhan			

—16

RESOLUTIONS

Mr. Pierce offered the following Senate Joint Resolution, to-wit:

S. J. R. 13. WHEREAS, The year 1969 marks the beginning of the 50th Anniversary Celebration of the League of Women Voters of the United States; and

WHEREAS, The League of Women Voters, which was founded in 1920 primarily to help 20 million women voters to carry out their new responsibilities, has in fact assisted men and women voters alike; and

WHEREAS, The League of Women Voters has provided nonpartisan information on candidates and ballot issues prior to elections, encouraged registration and informed voting and helped generations of women understand the structure and function of government; and

WHEREAS, The League of Women Voters of Alabama was established in 1951 to this same end; and

WHEREAS, The League of Women Voters, while nonpartisan in relation to candidates and political parties, has studied and acted upon many issues of government in the public interest; and

WHEREAS, The League of Women Voters of Alabama has strengthened state government in Alabama through its work on such issues as election law reforms, water pollution control, and additional revenue for education; now, therefore,

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That the members of this Legislature unite in congratulating the League of Women Voters upon the 50th Anniversary of its founding and in commending the League for its long record of public service.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the League of Women Voters as a sincere expression of the high esteem in which it is held.

On motion of Mr. Pierce, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Pierce, Goodwyn and Bailes offered the following Senate Joint Resolution, to-wit:

S. J. R. 14. WHEREAS, the Legislature is informed of the imminent retirement of Mrs. Walter Bragg (Lillian) Smith, R. N., as the Executive Director of the Alabama State Nurses Association; and

WHEREAS, Mrs. Smith has been a familiar and beloved figure in the legislative halls of Alabama in past years and has brought honor and credit to her profession of nursing, to herself and to this state; and

WHEREAS, Mrs. Smith has always conducted herself with decorum, grace and pleasantness, and has always been most objective and truthful in presenting matters affecting nurses to the Legislature; and

WHEREAS, through Mrs. Smith's efforts much beneficial legislation affecting the practice of nursing, the regulation and licensing of nurses, and the promotion of education of nurses has been enacted into law, all of which is in the best interest of the citizens of Alabama; and

WHEREAS, Mrs. Smith has been deservedly honored numerous times by professional nurse associations, both within the state and nation; now, therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the Legislature recognize this nurse's Nurse by expressing its sincere appreciation to her for her years of devoted service to worthwhile legislation in matters affecting nursing and to honor her for her tireless efforts in behalf of her profession.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Mrs. Smith, the Alabama State Nurses Association and the American Nurses Association.

On motion of Mr. Pierce, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Nabors offered the following Senate Joint Resolution, to-wit:

S. J. R. 15. WHEREAS, Etowah County was given its name by Legislative Act in 1868 after said county had been carved out of several adjoining counties; and

WHEREAS, The Board of Revenue of Etowah County adopted in 1968 a resolution providing for the celebration of the county's Centennial, and did appoint a number of citizens of the county to provide for the appropriate celebration of the county's one hundredth birthday; and

WHEREAS, the committee, among other things, was desirous of having a flag designed to be the symbol of Etowah County; and

WHEREAS, a large number of the citizens did submit designs to a selection committee for their acceptance and Jean Marie Williams and Denise Williams, the same being the daughters of Mr. and Mrs. James Williams, and who are now seventh and eighth grade students respectively of Alma Hinson Junior High School in Attalla, Alabama, did design the flag which was accepted by the committee.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that Jean Marie Williams and Denise Williams, although being of a very young age, exemplified the very best in American traditions in the designing of the flag for Etowah County on the celebration of its Centennial; and that they are hereby commended for this contribution to their county, state and nation.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Jean Marie Williams and Denise Williams at 222 Bain Street, Attalla, Alabama, and a copy forwarded to the Board of Revenue of Etowah County, Alabama, for insertion in the official records of Etowah County.

On motion of Mr. Nabors, the Rules were suspended and the Resolution was adopted by the Senate.

CALENDAR BILL POSTPONED TO DAY CERTAIN

On motion of Mr. Turner, further consideration of the Bill, S. B. 82, was postponed until the Seventh Legislative Day.

BILLS ON THIRD READING

The Bill:

S. 13. To amend House Bill 5 as passed by the 1969 Special Session of the Alabama Legislature; to provide for the changing of the name of the Alabama Commission of Higher Education.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 27; Nays 3.

Yeas:

Messrs.:	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Gilmore	Lolley	Radney
Childs	Givhan	McDermott	Stone
Clark	Goodwyn	Morrow	Torbert
Cooper	Harris	Nabors	Turner
Dominick	Hawkins	Oden	Vacca

—27

Nays:

Messrs.:	McCarley	O'Bannon	Skidmore	—3

The Bill:

S. 16. To amend Section 9 of Act No. 762 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to increase the rate of interest that may be borne by bonds of a gas district organized under the said Act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 27; Nays 2.

Yeas:

Messrs.:	Gilmore	McCarley	Pierce	
Bailes	Goodwyn	McDermott	Radney	
Branyon	Harris	Morrow	Skidmore	
Childs	Hawkins	Nabors	Stone	
Dominick	Leonard	O'Bannon	Torbert	
Engel	Lindsey	Oden	Turner	
Folsom	Lolley	Pelham	Vacca	—27

Nays: Messrs. Albea, Cooper —2

The Bill:

S. 101. To amend the Securities Act of Alabama (Acts 1959, v. 2, p. 1318, et seq., Act No. 542, Regular Session 1959) so as to make further provisions relating to the registration of securities dealers and salesmen and the registration and sale of securities.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 30; Nays 1.

Yeas:

Messrs.:	Folsom	Lindsey	Pierce	
Albea	Gilmore	Lolley	Radney	
Bailes	Givhan	McDermott	Skidmore	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Dominick	Jackson	Oden	Vacca	
Engel	Leonard	Pelham		—30

Nay: Mr. Branyon —1

The Bill:

S. 171. Providing for the distribution of fines and forfeitures from convictions in certain traffic violations in counties which now have a population of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 2.

Yeas:

Messrs.:	Folsom	Lolley	Pierce	
Albea	Gilmore	McDermott	Radney	
Branyon	Harris	Morrow	Skidmore	
Carr	Hawkins	Nabors	Stone	
Clark	Jackson	O'Bannon	Torbert	
Dominick	Leonard	Oden	Vacca	
Engel	Lindsey	Pelham		—26

Nays: Messrs. Goodwyn, Turner —2

CALENDAR BILLS POSTPONED TO DAY CERTAIN

On motion of Mr. Jackson, further consideration of the Bills, S. B.'s 172 and 173, was postponed until the Seventh Legislative Day.

MOTION TO RECONSIDER

Mr. Nabors moved that the Senate reconsider the vote by which the Bill:

S. 171. Providing for the distribution of fines and forfeitures from convictions in certain traffic violations in counties which now have a population of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census.

was passed.

Mr. Jackson moved that the motion to reconsider be laid on the table, and the motion to table was lost.

Yeas 10; Nays 16.

Yeas:

Messrs.:	Clark	Jackson	O'Bannon	
Albea	Cooper	Leonard	Stone	
Branyon	Givhan	Lolley		—10

Nays:

Messrs.:	Goodwyn	McDermott	Pelham	
Bailes	Harris	Morrow	Pierce	
Childs	Hawkins	Nabors	Radney	
Dominick	Lindsey	Oden	Vacca	
Gilmore				—16

The question then recurred on the motion of Mr. Nabors that the Senate reconsider the vote by which the Bill, S. B. 171, was passed, which motion was adopted, and the Senate did reconsider said vote.

On motion of Mr. Jackson, further consideration of the Bill, S. B. 171, was postponed until the next Legislative Day.

BILLS ON THIRD READING RESUMED

The Bill:

S. 129. To amend Title 7, Section 727, et seq., of the Code of Alabama of 1940 so as to provide for the redemption of real estate within one

year after sale under execution or by virtue of any decree in the Circuit Court or under any deed of trust or power of sale in a mortgage.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 32; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	O'Bannon	
Adams	Engel	Leonard	Pierce	
Albea	Folsom	Lindsey	Radney	
Bailes	Gilmore	Lolley	Skidmore	
Branyon	Givhan	McCarley	Stone	
Carr	Goodwyn	McDermott	Torbert	
Childs	Harris	Morrow	Turner	
Clark	Hawkins	Nabors	Vacca	
Cooper				—32

Nays: —0

The Bill:

S. 116. Relating to counties having populations of not less than 14,900 nor more than 15,200; amending Act No. 122, H. 91, approved March 29, 1965 (Acts of Alabama, First Special Session 1965, p. 175).

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Pelham	
Branyon	Givhan	McDermott	Pierce	
Carr	Goodwyn	Morrow	Radney	
Childs	Harris	Nabors	Skidmore	
Clark	Hawkins	O'Bannon	Stone	
Cooper	Jackson	Oden	Turner	
Dominick	Lolley			—25

Nays: —0

RESOLUTION

Mr. Turner offered the following Senate Resolution, to-wit:

S.R. 16. RESOLVED BY THE SENATE OF ALABAMA that a select Committee be appointed by the Chair to consider the provisions of S. B. 82, without the said Bill being committed to said select Committee, to determine whether the differences between the proponents and opponents of said bill may be resolved.

Which was read and referred to the Standing Committee on Rules.

RECESS

At 2:55 P.M., on motion of Mr. Turner, the Senate took a recess until 3:10 P.M.

The recess period having expired, the Senate was called to order by President Pro Tempore Goodwyn.

A quorum of the Senate was present.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Motion in Writing and ordered same returned to the Senate with a favorable report, to-wit:

Motion in Writing by Mr. Dominick amending Joint Rule 4.

On motion of Mr. Clark, said Motion in Writing was then adopted by the Senate.

Yeas 30; Nays 1.

Yeas:

Messrs.:	Folsom	Lindsey	Pelham	
Albea	Giles	Lolley	Pierce	
Bailes	Givhan	McCarley	Radney	
Branyon	Goodwyn	McDermott	Stone	
Childs	Harris	Morrow	Torbert	
Clark	Hawkins	Nabors	Turner	
Dominick	Jackson	O'Bannon	Vacca	
Engel	Leonard	Oden		—30

Nay: Mr. Skidmore —1

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Resolution:

S. R. 16. Relative to a select committee to consider S. B. 82.

and ordered same returned to the Senate with a favorable report, with amendment, to-wit:

AMENDMENT TO S. R. 16

Amend S. R. 16 by inserting the word "only" between the word "determine" and the word "whether" on line four of said Resolution.

Which was adopted.

And on motion of Mr. Clark, said Resolution, S. R. 16, as thus amended, was then adopted by the Senate.

Yeas 30; Nays 2.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Adams	Folsom	Lolley	Radney	
Albea	Giles	McDermott	Skidmore	
Bailes	Givhan	Morrow	Stone	
Branyon	Harris	Nabors	Torbert	
Childs	Hawkins	O'Bannon	Turner	
Clark	Jackson	Oden	Vacca	
Dominick	Leonard	Pelham		—30

Nays: Messers. Cooper, McCarley —2

BILLS ON THIRD READING RESUMED

The Bill:

S. 50. To amend Code of Alabama 1940, Title 36, Sections 1 and 36, as amended, so as to define further the term "authorized emergency vehicle," and to regulate the use of horns and warning devices on certain types of such vehicles.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pierce	
Adams	Folsom	McCarley	Radney	
Albea	Giles	McDermott	Skidmore	
Bailes	Goodwyn	Morrow	Stone	
Branyon	Harris	Nabors	Torbert	
Childs	Jackson	O'Bannon	Turner	
Cooper	Leonard	Pelham	Vacca	
Dominick	Lindsey			—29

Nays: —0

SELECT COMMITTEE APPOINTED

Under the provisions of S. R. 16, the President and Presiding Officer of the Senate appointed as members of said Committee Mr. Turner, Chairman, and Messrs. Pelham, Clark, Folsom, Pierce, Engel and Nabors.

ADJOURNMENT

At 3:40 P.M., on motion of Mr. Cooper, in accordance with Joint Resolution heretofore adopted by the Senate, the Senate adjourned until Thursday, May 29, 1969, at 1 o'clock P.M.

SIXTH LEGISLATIVE DAY

THURSDAY, MAY 29, 1969

The Senate met pursuant to adjournment, President Pro Tempore Goodwyn presiding.

PRAYER

The Session was opened with prayer by Mr. James R. Petty, Minister, Druid Hills Church of Christ, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Engel	Lindsey	Pelham	
Albea	Folsom	Lolley	Pierce	
Bailes	Giles	McCarley	Radney	
Branyon	Gilmore	McDermott	Skidmore	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick				—32

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fifth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Fifth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Adams, Givhan and Leonard for today.

INTRODUCTION OF BILLS

Upon call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Harris:

S. 388. Relating to eminent domain proceedings; amending Code of Alabama 1940, Title 19, Section 14 in relation to proceedings instituted by watershed conservancy districts and water management districts.

Committee on Agriculture.

By Mr. Harris:

S. 389. To amend Act No. 517, S. 96, Legislature of 1957, approved September 13, 1957 (Acts of Alabama 1957, Vol. II, p. 705), an Act providing for the creation of watershed conservancy districts for developing and executing plans and programs for the conservation of water, water uses, flood prevention and control, prevention and control of erosion, flood water and sediment damages by amending Sections 1 and 9 of said Act.

Committee on Agriculture.

By Mr. Harris:

S. 390. To amend "The Physical Therapy Practice Act," Act No. 476, H. 8, Regular Session 1965 (Acts, Regular Session 1965, p. 686), in order to provide further for registration of physical therapists and to provide for licensing of physical therapy assistants; specifically to provide further for examinations of applicants for registration and licensing; and to clarify certain provisions in the Act.

Committee on Public Health.

By Mr. Nabors:

S. 391. To provide further for purging the lists of qualified electors; to authorize and direct boards of registrars to omit or remove from such lists the names of electors who have not voted in a county-wide election during two successive general election years; to provide that persons whose names are so omitted or removed shall not cease to be qualified electors nor be subject to reregistration but shall be subject only to reidentifying themselves before being entitled to be listed on the list of qualified electors; to place certain additional duties upon the judges of probate and upon election officials; to provide for the payment of the costs of administering this act out of the county treasuries; to provide that any person knowingly and wilfully making a false statement in connection with reidentification of electors pursuant to this act is guilty of perjury; and to prescribe penalties.

Committee on Corporations.

By Mr. Albea:

S. 392. To amend Section 4 of Act No. 673, H. 2, approved October 9, 1947 (General Acts of Alabama, 1947, p. 514), known and cited as the "Regional Vocational and Trade Schools Act," by providing for and regulating certain paid leaves of absence for members of the faculty of such schools, caused by sickness.

Committee on Finance and Taxation.

By Mr. Skidmore:

S. 393. To amend the Code of Alabama 1940, Title 52, Section 509 (1); providing for the change in the name of The Medical College of Alabama to "The University of Alabama School of Medicine."

Committee on Education.

By Mr. Vacca:

S. 394. To amend Act No. 566, Regular Session 1959 (Acts 1959, p. 1424) relating to frauds concerning checks, drafts, or orders by removing the ten day limitation for proof of payment to overcome the presumption of fraud raised by refusal by the drawee.

Committee on Judiciary.

By Mr. Vacca:

S. 395. To regulate further vehicles using the highways of the State; providing for and regulating the compulsory periodic inspection of motor vehicles, trailers, semi-trailers, pole-trailers and mobile homes; requiring the adjustment, correction or repair of certain parts or equipment of such vehicles if such inspection discloses the necessity therefor; providing for the designation and regulation of inspection stations and the appointment of state inspectors; prescribing the fee for inspecting a vehicle and for appointment as an inspection station; providing for the collection and use of such fees; prescribing penalties for violations of the act; authorizing and providing for the administration and enforcement of this act by the director of public safety; and repealing Act No. 542, N. 290 of the Regular Session of 1943 (Gen. Acts of 1943, p. 522) which provides for municipal vehicle testing stations.

Committee on Aviation and Traffic.

By Mr. Vacca:

S. 396. To Amend Section 207 and Section 270(1) of Milk Control Board Act, Title 22, Code of Alabama 1940 AS AMENDED by Act No. 497 of the Regular Session, 1961 and Act No. 466 of the Regular Session, 1965.

Committee on Agriculture.

By Mr. Dominick:

S. 397. To abolish the office of legislative agent, repealing Act No. 19, H. 58, Third Special Session, 1965 (Acts, Second and Third Special Sessions 1965, p. 225), which created such office.

Committee on Judiciary.

By Mr. Torbert:

S. 398. To further regulate domestic stock insurance companies in respect to merger, consolidation and certain exchanges of stock and, in furtherance thereof, to provide for approval by the Superintendent of Insurance after public hearing, and to provide rights for dissenting shareholders in connection therewith.

Committee on Judiciary.

By Mr. Turner:

S. 399. To amend further Code of Alabama 1940, Title 30, Section 21, as amended, so as to eliminate therefrom the provision authorizing the placing on the jury roll and in the jury box the names of persons who cannot read English, but are freeholders or householders and possess the other qualifications prescribed for jurors.

Committee on Judiciary.

By Mr. Turner:

S. 400. To require the identification of credit bureaus and credit reporting agencies, the disclosure of records of such bureaus or agencies to the applicant concerned, and to require such bureaus or agencies to keep credit records available for ten years.

Committee on Banking.

By Mr. Turner:

S. 401. To subject certain intangible personal property to ad valorem taxation: for such purpose amending Code of Alabama 1940, Title 51, Sections 2, 21, 25, 372 and 431 in order to delete certain intangibles from the enumeration of persons and property exempt from ad valorem taxation, to include certain intangibles in the enumeration of subjects of taxation, and to eliminate certain provisions of law exempting from ad valoren taxation shares of stock in corporations when certain other excise, license or privilege taxes have been paid.

Committee on Finance and Taxation.

By Messrs. Goodwyn and Pierce:

S. 402. To provide that the Board of Revenue, or like governing body now existing or that may be hereafter created in all Counties of Alabama, having a population of not less than 160,000 nor more than 300,000 inhabitants according to the 1960 Federal Census or any subsequent regular decennial Federal Census pay to the Recorder of the Recorder's Court of all cities located in said County or counties for ex officio services rendered by the Recorder in the trial of cases in the Recorder's Court wherein there is

charged a violation of the laws of Alabama a sum not exceeding Five Thousand One Hundred and NO/100 (5,100.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury, and providing further for the payment to the designated Prosecuting Attorney of the Recorder's Court located in said County or counties for ex officio services rendered by him in the prosecution of cases in Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Two Thousand Four Hundred and NO/100 (2,400.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury.

Committee on Local Legislation No. 1.

By Messrs. Goodwyn, Childs, McDermott, Cooper, Nabors, Pelham, Albea, Radney, Oden, Skidmore, Branyon, McCarley, Harris, Jackson, Carr, Bailes, Hawkins, Vacca, Lolley, Morrow and Clark:

S. 403. To further amend Section 3 of Act No. 724, approved September 17, 1953, entitled "An act to provide law clerks to be appointed by the presiding judge and associate judges of the Court of Appeals, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 979), as amended by Act No. 595, General Acts of Alabama 1959, p. 1484, and by Act No. 43, General Acts of Alabama 1965, Special Sess., p. 63, and to provide the time when the amendment shall become effective.

Committee on Judiciary.

By Messrs Goodwyn, Childs, McDermott, Cooper, Nabors, Pelham, Albea, Radney, Oden, Skidmore, Branyon, McCarley, Harris, Jackson, Carr, Bailes, Hawkins, Vacca, Lolley, Morrow and Clark:

S. 404. To further amend Section 3 of Act No. 443, approved August 28, 1953, entitled "An act to provide law clerks to be appointed by the chief justice and the associate justices of the supreme court, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 549), as amended by Act No. 594, General Acts of Alabama 1959, p. 1483, and by Act No. 44, General Acts of Alabama 1965, Special Sess., p. 64, and to provide the time when the amendment shall become effective.

Committee on Judiciary.

By Mr. Lindsey:

S. 405. To amend Section 6, as amended, and Section 7 of Act No. 158, Acts of Alabama, First Special Session 1956, entitled An Act to provide for and fix the manner in which the Director of Conservation may execute oil, gas and mineral leases on all lands under the jurisdiction of the Department of Conservation; to further provide for the manner in which the Director of Conservation may execute oil, gas and mineral leases on lands belonging to other State departments or agencies; to further provide for the manner in which lands or any rights of interest therein under any navigable streams or navigable waters, bays, estuaries, lagoons, bayous or lakes, and the shores along the navigable waters to high tide mark, and submerged lands in the Gulf of Mexico within the historic seaward boundary of this State, which is hereby declared to extend seaward six leagues from the land bordering the Gulf, may be leased and managed by the Director of Conservation; to provide for pooling and unitization agreements; to provide for the disposition of revenue derived from such leases; to provide for the Governor's approval for all such agreements, and to further provide for the repeal of all laws in conflict with the provisions of this Act.

Committee on Forestry and Conservation.

By Mr. Lindsey:

S. 406. To amend further Section 1 of Act No. 99, H. 437, Regular Session 1957, as amended, an act fixing the compensation of the county superintendent of education of Washington County, relative to the amount of compensation of said superintendent.

Committee on Local Legislation No. 1.

By Mr. Skidmore:

S. 407. To amend Code of Alabama 1940, Title 7, Section 433 relative to the competency of witnesses in civil suits so as to delete from such section provisions making certain persons incompetent to serve as witnesses.

Committee on Judiciary.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as members of the Alabama Alcoholic Beverage Control Board:

James E. Caldwell—Brundidge—For term expiring February 10, 1971

Dewitt Reams—Chairman—Mobile—For term expiring February 10, 1975

Frank V. Potts—Florence—For term expiring February 10, 1973

Respectfully,

ALBERT P. BREWER,
Governor.

MAY 29, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the Alabama Alcoholic Beverage Control Board was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Houston H. Feaster of Mobile, Alabama, as Director of the State Docks.

Respectfully,

ALBERT P. BREWER,
Governor.

MAY 29, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the State Docks Director, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, A. W. "Butch" Avinger of Birmingham, Alabama, as State Superintendent of Banks, succeeding Robert M. Cleckler, resigned, for the term expiring February 1, 1971.

Respectfully,

ALBERT P. BREWER,
Governor.

MAY 29, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the Superintendent of Banks, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Mr. Jesse Culp, Albertville, Alabama, as a member of the Board of Trustees of Auburn University for the term expiring in January 1979, succeeding Doctor T. E. Martin, deceased,—from the Fifth District.

Respectfully,

/s/ ALBERT P. BREWER,
Governor.

MAY 29, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the Board of Trustees of Auburn University, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

On March 7, 1968, Mr. Walston Hester, Russellville, Alabama, was appointed a member of the Board of Trustees of Auburn University from the Seventh District for the term expiring in January 1979—succeeding Dr. Paul Haley deceased.

This appointment is hereby submitted to you for confirmation, or for such action as to you may deem right and proper.

Respectfully,

/s/ ALBERT P. BREWER,
Governor.

MAY 29, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the Board of Trustees of Auburn University, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Congressman Bill Nichols of Sylacauga, Alabama, as a member of the Board of Trustees of Auburn University for the term expiring in January 1979—from the Fourth District.

Respectfully,

/s/ ALBERT P. BREWER,
Governor.

MAY 29, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the Board of Trustees of Auburn University, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Mr. Vernon K. Shriner, Montgomery, Alabama, as a member of the Gulf States Marine Fisheries Commission for the term expiring July 1, 1971.

Respectfully,

/s/ ALBERT P. BREWER,
Governor.

MAY 29, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the Gulf States Marine Fisheries Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

Since the last Regular Session of the Legislature the following appointments were made by Governor Lurleen B. Wallace on the State Board of Agriculture and Industries:

FARMER MEMBERS:	*Term expires in January 1971
Richard H. Arrington	—Ramer, Alabama—2nd District
Charles C. Miller	—Piedmont, Ala.—4th District
Ralph S. Eagle	—Marion, Alabama—5th District
J. L. (Lem) Morrison	—Greensboro, Ala.—6th District
INDUSTRY MEMBERS:	Term expires in January 1971
Charles W. Summerour	—Montgomery, Ala.—2nd District
B. W. Connell	—Dothan, Alabama—3rd District
J. C. Barry	—Birmingham, Ala.—7th District

As these appointments must be confirmed by your Body I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,

/s/ ALBERT P. BREWER,
Governor.

MAY 29, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the appointment of members of the State Board of Agriculture and Industries, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

Since the last Regular Session of the Legislature the following appointments have been made on the Board of Corrections for the State of Alabama:

Appointment by Governor Lurleen B. Wallace:

W. O. Crawford —Marion, Alabama—For term expiring July 17, 1977

Appointments by Governor Albert P. Brewer:

General Henry V. Graham —Birmingham, Ala.—For term expiring July 17, 1971—Succeeding Charles Cashion

Yetta G. Samford, Jr. —Opelika, Ala.—Succeeding William A. Mitch—for the term expiring July 17, 1975

As these appointments must be confirmed by your Body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,

/s/ ALBERT P. BREWER,
Governor.

MAY 29, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the State Board of Corrections, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, General Alfred C. Harrison of Opelika, Alabama, as The Adjutant General of the State of Alabama.

Respectfully,

/s/ ALBERT P. BREWER,
Governor.

MAY 29, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the Adjutant General of the State of Alabama, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

During May 1968 Edwin V. Taylor of Mobile, Alabama, was appointed Brigadier General of the Line by Governor Lurleen B. Wallace.

This appointment is hereby submitted to you for confirmation, or for such action as you may deem right and proper.

Respectfully,

/s/ ALBERT P. BREWER,
Governor.

MAY 29, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to Brigadier General of the Line, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

On October 24, 1966, Colonel Ralph W. Adams, Sr., was promoted to the grade of Brigadier General in the Air National Guard.

This appointment is hereby submitted to you for confirmation, or for such action as you may deem right and proper.

Respectfully,

/s/ ALBERT P. BREWER,
Governor.

MAY 29, 1969

GOVERNOR'S MESSAGE

The foregoing message from His Excellency, the Governor, relative to Brigadier General in the Alabama Air National Guard, was read and referred to the Standing Committee on Rules.

REPORTS OF COMMITTEES

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Skidmore:

S. 20. To amend section 5 of Act No. 755, Regular Session 1967 (Acts 1967 p. 1609) which act provides for supernumerary tax collectors, tax assessors or other elected officials charged with assessment and/or collection of ad valorem taxes in various counties, to allow persons eligible for those positions to be appointed whether or not they are eligible for retirement under another retirement plan.

By Messrs. Radney, Turner and Engel:

S. 104. To amend Code of Alabama 1940, Title 49, Sections 78, 85, and 89, to increase the maximum age for children in the care or custody of individuals or institutions supervised by the state board of public welfare.

By Messrs. Radney, Turner and Engel:

S. 105. To amend further Code of Alabama 1940, Title 52, Sections 590 and 591, so as to raise the age of the boys who may be committed to, received and cared and provided for at the Alabama Boys Industrial School.

By Messrs. Radney, Turner and Engel:

S. 106. To amend Code of Alabama 1940, Title 13, Chapter 7, which relates to juvenile courts, so as to raise the maximum age for juvenile court jurisdiction and to revise certain of the rules relative to process of and procedures in such courts; amending Sections 350, 352, 353, 359, 360, 362, 363, 366, and 367.

By Mr. McCarley:

S. 216. To create the office of warrant clerk in all counties having populations of not less than 31,500 nor more than 35,500 according to the most recent federal decennial census; to provide for his appointment, tenure, duties and compensation; and to repeal conflicting laws.

By Mr. Branyon:

S. 266. To amend Section 16 of Title 23 of the Code of Alabama of 1940 providing for certain rules and regulations of the highway department.

By Mr. Branyon:

S. 267. To amend Section 402(65) of Title 37 of the Code of Alabama of 1940 to provide for the use of the Public Roads by Gas Districts in this State.

By Mr. Skidmore:

S. 268. To amend Sections 7, 8 and 12 of Act No. 558, Regular Session, 1943, approved July 9, 1943 (Alabama Acts of 1943, page 548 et seq.), by providing for the preparation and use of uniform accident reporting forms.

By Mr. Dominick:

S. 269. To propose an amendment to the Constitution of Alabama with respect to the retirement, censure, suspension and removal of judges, creating a Judicial Commission and defining its powers, duties and authority.

The above Bill was read a second time at length as required by the Constitution.

By Mr. McDermott:

S. 291. Relating to the authority of the Highway Director to alter plans or character of work on construction projects after they have been let to contract; to determine the need for new or additional work not contemplated or included in the original construction contract; and to enter into a supplemental agreement with the prime contractor for extra work or to direct the prime contractor to perform the extra work on a force account basis.

Mr. Albea, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Nabors, Turner, Torbert and Folsom:

S. 12. Proposing an amendment to the Constitution of Alabama providing for annual sessions of the legislature and regulating the length of such sessions.

The above Bill was read a second time at length as required by the Constitution.

By Mr. McDermott:

S. 161. To propose an amendment to the Constitution relative to the method of adopting amendments to the Constitution.

The above Bill was read a second time at length as required by the Constitution.

Mr. Clark, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Stone, Turner, Clark, Torbert and Adams (with amendment):

S. 309. To provide for organizing industrial development corporations; provide for definitions; provide the purpose of such corporations; provide that such corporations may be organized under the general laws of Alabama, subject to certain limitations; provide that such corporations may borrow money from members and issue securities and evidences of indebtedness and secure same; provide said corporations may make loans, may acquire the good will, business and assets of persons, firms, and corporations and may acquire real estate and use the same for the purposes of the corporations; provide that corporations organized under the laws of Alabama or transacting business in Alabama are authorized to purchase, hold, and dispose of the securities of industrial development corporations; provide that financial institutions are authorized to become members and make loans to such corpora-

tions, subject to certain limitations; provide that financial institutions are authorized to acquire the securities and stock of such corporations; provide such corporations shall set aside a portion of earned surplus from year to year as a reserve fund; provide for selecting depositories for funds of such corporations; provide such corporations shall be subject to examination by a certified public accountant and shall file reports with the Secretary of State; provide for the management of such corporations by a board of directors, a president and officers; provide for the dissolution of such corporations; provide that such corporations shall be state development companies as defined in the Small Business Act of 1958; provide for the payment of annual occupational license tax; provide an effective date.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Branyon, Givhan, Harris, Lolley and Gilmore:

S. 195. To amend further Code of Alabama, Title 22, Chapter 7, which is known as the Milk Control Board Law, so as to require the Milk Control Board to make, reduce to writing, and record in its minutes a finding of fact on which its orders are based, prior to the issuance of such orders.

By Messrs. Branyon, Givhan, Harris, Lolley and Gilmore:

S. 196. To amend further Code of Alabama 1940, Title 22, Section 226, as amended, which pertains to CERTIORARI TO REVIEW, so as to provide for additional time for appeal from Milk Control Board orders.

By Messrs. Branyon, Givhan, Harris, Lolley and Gilmore:

S. 197. To amend further Code of Alabama 1940, Title 22, Section 206, as amended, which pertains to "DEFINITIONS," so as to provide for the further defining of Bulk Milk Tank Driver and Bulk Milk Tank Hauler.

By Messrs. Branyon, Givhan, Harris, Lolley and Gilmore:

S. 199. To amend further Code of Alabama 1940, Title 22, Section 213, as amended, which pertains to "LICENSES TO PRODUCERS, PRODUCER-DISTRIBUTORS, STORES, MILK DEALERS, DISTRIBUTORS, BOB-TAILERS AND COOLING STATIONS," so as to bring "Bulk Milk Tank Drivers" and "Bulk Milk Tank Haulers" within the provision of said section.

By Messrs. Branyon, Lolley, Carr, Jackson, Givhan, Harris and Gilmore:

S. 201. To regulate the business of buying and selling livestock by requiring persons engaged in such business to be licensed and bonded; prescribing the method for determining the amount of said bond; authorizing the Commissioner of Agriculture and Industries to promulgate rules and regulations to effectuate this act, and providing a penalty for violations.

By Messrs. Branyon, Lolley, Carr, Gilmore, Jackson, Harris and Givhan:

S. 202. Authorizing the Commissioner of Agriculture and Industries, with the approval of the Board of Agriculture and Industries, to establish official grades and standards for the marketing of farm products, fish and seafoods, and to design brands, labels and trademarks in accordance therewith;

providing conditions for the use of such brands, labels and trademarks; and prohibiting the misuses thereof; providing for public hearings and publication of certain notices; authorizing said Commissioner, with the approval of the Board of Agriculture and Industries, to establish rules and regulations to implement the purposes of this Act; and prescribing penalties for violations.

By Messrs. Branyon, Givhan and Adams:

S. 204. Relating to the sale of livestock; making it a misdemeanor for any person to buy or offer to buy livestock on any public street or highway within two thousand five hundred (2,500) feet of a public livestock market and to provide for enforcement.

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Goodwyn (with substitute):

S. 236. Relating to Highways; to control and regulate the erection and maintenance of outdoor advertising devices or signs on lands adjacent to the Federal-Aid Primary System and the National System of Interstate and Defense Highways in Alabama; to provide compensation for removal or relocation of advertising devices; to define terms; to provide for violations and penalties; to provide how this Act may be cited; and to provide a severability clause.

Mr. Bailes, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 83. To amend Code of Alabama Title 17, Section 153, which relates to the form of ballots to be used at elections, to provide for direct voting on candidates for president and vice president of the United States.

By Messrs. Radney, Torbert, Harris, Turner and Engel:

S. 84. Relating to elections; repealing Sections 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, and 400 of Title 17, Code of Alabama 1940.

Mr. Bailes, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Radney, Tolbert, Harris, McDermott, Turner and Engel (with amendment):

S. 85. To provide further for the conduct of elections in all counties wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate

in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Mr. Bailes, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 86. Relating to elections; placing certain restrictions on write-in candidates and write-in votes; defining write-in candidate and repealing conflicting laws.

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 87. To amend Act No. 664, S. 133 of the Regular Session of 1961 (Acts of Alabama, Regular Session 1961, p. 868), which provides for and regulates elections in cities and towns of 300,000 population or less, which have a commission form of government, so as to make the provision thereof for assistance to disabled voters conform to the provisions of the general election law relative to assistance to disabled voters.

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 88. To amend further Act No. 663, S. 132 of the Regular Session of 1961 (Acts of Alabama 1961, p. 827), as amended, which provides for and regulates general and special elections in cities and towns of this state having populations of 300,000 or less, except cities and towns which have a commission form of government, so as to make the provision thereof for assistance to disabled voters conform to the provision of the general election law relative to assistance to disabled voters.

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 90. To fix the time for canvassing returns of general elections; amending Code of Alabama 1940, Title 17, Section 199.

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 91. Relating to elections; to amend Code of Alabama 1940, Title 17, Section 197 in relation to the time when the statement of votes and the poll list must be delivered by the returning officer of the precinct to the returning officer of the county.

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 92. Relating to elections; to amend further Code of Alabama 1940, Title 17, Section 145, in relation to the number of signatures required on petitions for persons to become independent candidates before such person's name may be put on the ballot.

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 93. Relating to suffrage and elections; authorizing and providing for registration of certain absentee electors by mail.

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 94. Relating to elections; amending Code of Alabama, title 17, section 149 so as to provide for discontinuance of political party emblems and to define the term political party.

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 95. Relating to the conduct of elections; specifically providing that only one poll list shall be made at each place of voting in any election, primary, general, special or municipal; regulating the making of such list; providing that certain phrases when used in the election laws of this state shall refer to and mean the list made at each place of voting, as required by this Act; and repealing the provisions of certain laws which conflict with this Act.

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 96. Relating to elections; to regulate further the number, manner of appointment and qualification of poll watchers at voting places in primary, general, special and municipal elections.

By Messrs. Radney, Torbert, Harris, McDermott, Turner and Engel:

S. 98. Proposing an amendment to the Constitution of Alabama providing for the registration of electors by mail.

The above Bill was read a second time at length as required by the Constitution.

Mr. Bailes, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Nabors (with substitute):

S. 193. Relating to elections; to change the dates for primary elections and for filing declarations of candidacy; to abolish statutory procedures for contesting primary elections and to authorize and direct the executive committees of political parties to provide by party rule for contesting such elections; to correlate other provisions of the election laws with these changes; and for these purposes amending Code of Alabama 1940, Title 17, Sections 106, 145, 340, 344, 348, 360, 373, 407 and 414 and repealing Sections 378 through 384, 386, 388, 389 and 391 of said title.

Mr. Cooper, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cooper:

S. 335. To amend Section 291 of Title 46 of the Code of Alabama 1940.

By Mr. Cooper:

S. 336. To amend Section 259 of Title 46 of the Code of Alabama 1940.

By Messrs. Skidmore and Cooper:

S. 381. To prohibit the possession, sale, disposal, use, or explosion of fireworks in Alabama, and to prescribe penalties for any violation of this act or any regulation promulgated under its authority; repealing conflicting laws.

By Mr. Folsom:

S. 190. To prohibit the feeding of garbage to swine and to repeal conflicting laws, including Act No. 187, Regular Session 1953 (Acts 1953, p. 240).

By Mr. Turner:

S. 277. To amend Code of Alabama 1940, Title 22, Sections 20 and 37; further regulating the bureau of vital statistics in the state health department; designating the duties, responsibilities and compensation of the state registrar of vital statistics; providing for official certificate forms.

By Mr. Pierce:

S. 285. Relating to penal institutions; providing for deductions from sentences of prisoners who donate blood to the American Red Cross.

By Mr. Skidmore:

S. 306. To amend Act No. 108, H.B. 152, approved August 26, 1959 (Acts 1959, v. 1, p. 612), an act relating to the practice of chiropractic; providing for the certification, examination and regulation of chiropractors.

By Mr. Turner:

S. 361. To amend Act 171, 1967 Special Session, to require operators and passengers riding two-wheel motorized vehicles to wear protective helmets, prescribing standards for helmets that may be worn, providing for testing such helmets, prohibiting the sale in this State of substandard helmets, imposing responsibility on parents and guardians of juveniles in reference to compliance with the Act, and prescribing penalties.

Mr. Oden, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Vacca, Givhan, Clark, Branyon, Childs, Dominick, Bailes, Engel and Gilmore:

S. 39. To provide for the display of a distinctive warning device on certain vehicles, farm tractors, implements of husbandry, and special mobile equipment, and to prescribe the design, style, position, and use of such device, and to provide a penalty for any violation of the requirements of this Act.

By Mr. Childs:

S. 43. To provide for the placement of tail lamps upon motor vehicles.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. O'Bannon (with substitute):

S. 1. To amend Act No. 326, H. 775, Regular Session 1965 (Acts 1965, p. 809), relating to judicial circuits composed of only one county and having a population of not less than 60,500 nor more than 65,000 inhabitants; which authorizes the appointment of a deputy circuit solicitor; so as to provide further for the compensation of such solicitor.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. McDermott and Engel:

S. 367. To amend Section 2 of Act No. 287, Acts of Alabama, First Special Session, 1965 (p. 395), entitled, "An Act Relating to cities having populations of not less than 200,000 nor more than 300,000, according to the last or any subsequent federal decennial census; affecting and regulating the commission form of government which now exists or which may hereafter exist in any such cities; prescribing the compensation of the members of the boards of commissioners; prescribing and imposing a qualifying fee upon persons who desire to become candidates for the office of commissioner."

By Messrs. McDermott and Engel (with notice and proof):

S. 368. To provide for the compensation of jurors in Mobile County; repealing conflicting laws and specifically repealing Act No. 62, H. 157, Regular Session 1907, (Acts 1907, p. 68).

By Mr. Jackson:

S. 375. Relating to counties having populations of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

By Mr. Jackson:

S. 376. To regulate the compensation of jurors in counties having populations of not less than 33,000 nor more than 35,000.

By Clark (with notice and proof):

S. 377. To amend Act No. 235, S. 97, Regular Session 1967, an act providing for the appointment and compensation of deputies and assistants of the sheriff of Barbour County, so as to make further provisions respecting the compensation and appointment of jailers.

RESOLUTIONS

Messrs. Hawkins, Bailes, Vacca, Childs, Dominick, Morrow and Gilmore offered the following Senate Resolution, to-wit:

S. R. 17. BE IT RESOLVED BY THE SENATE OF ALABAMA, That Raymond J. Rowell, Sr., of 1640 - Steiner Avenue SW, Birmingham, Alabama, be commended for his outstanding service to the State of Alabama while serving as State Chairman of the Sesquicentennial Stamp Committee. He is chiefly responsible for the beautiful Alabama Statehood postage stamp design, which was unveiled on the capitol steps, Monday, May 26, 1969. He

originated the idea, and secured sponsorship for a nationwide Alabama Stamp design contest. The resulting large number of entrants in the contest drew designs from the nation's finer artists, resulting in a superior postage stamp design, which will reflect great credit on our state, now and in the years to come.

That he spent nearly one year in publicizing the Alabama stamp, and in fund raising efforts for the benefit of the Sesquicentennial Celebration, serving without compensation, and devoting many hours to the project which has brought outstanding recognition to Alabama.

BE IT FURTHER RESOLVED, That he be commended for the origination, idea, and promotion of the official Sesquicentennial Seals, the full color sheets of 25 different scenes of Alabama has resulted in tremendous nationwide advertising and attention for Alabama, because of his idea of putting them on mail. His service to the State of Alabama is far above the ordinary.

Be it Further Resolved, That a copy of this resolution be sent to Raymond J. Rowell.

On motion of Mr. Hawkins, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Skidmore offered the following Senate Joint Resolution, to-wit:

S. J. R. 18. Whereas is the intention of the Legislature to start the implementation of the Booz, Allen and Hamilton Report, which was commissioned by the Legislature, and which said Report outlined in sequential steps, a program to meet the State's critical need for additional medical personnel by the most economical means possible.

Whereas Report recommended increased support for the Medical College of Alabama to take the entering class to 125 students, expanding the post doctoral program at Mobile General Hospital through closer affiliation with the Medical College of Alabama, planning on the Tuscaloosa campus of the University of Alabama for a two year basic medical sciences program, planning to be done in cooperation with the University of South Alabama and the Board of the Mobile General Hospital for a third and fourth year program at the Hospital, which is to be initially operated by the Medical College of Alabama, and planning for post doctoral programs in Huntsville.

Whereas Report recommended that certain of these planning efforts be begun in the 1969-1971 biennium for those programs to be implemented first in the sequence.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the members of the Legislature authorize the University of Alabama to proceed with its responsibilities as outlined by the Report for initial planning appropriate for the biennium.

BE IT FURTHER RESOLVED that this planning be done jointly wherever appropriate and that other involved institutions, specifically Mobile General Hospital and the University of South Alabama, be invited to participate in the planning activities.

Which was read and referred to the Standing Committee on Rules.

Messrs. Gilmore, Hawkins, Bailes, Childs, Vacca, Morrow and Dominick offered the following Senate Resolution, to-wit:

A RESOLUTION TO ESTABLISH PATRIOTS DAY OBSERVANCE IN ALABAMA

S. R. 19. WHEREAS, we, the duly elected Senate of Alabama are aware of the ever increasing recent actions of subversive groups hiding behind patriotic devices, and worse yet the un-American activities of groups masquerading as church leaders who have placed our country in serious danger in destroying our image across the world and demoralizing our youth and in exploiting our minorities all to the mutual benefit of the Communist ideology, and,

WHEREAS, the abuse of constitutional rights, demonstrative in the cowardly acts of burning draft cards, and the desecration of our American flag, the destruction of private property, the incongurous acts of protecting criminals and indicting policemen, and giving limitless freedom without boundaries with complete disregard to the constitutional rights of others, the destruction of the pursuit of happiness in the countless unequal and unfair application of the laws of our nation, and,

WHEREAS, much recognition has been afforded the above actions and acts with no apparent reversal of trend or any definite plans of rebuke, and,

WHEREAS, a small but determined group at Bessemer State Technical Institute have initiated an observation of Patriots Day in Alabama, in memoriam of the original battle of our quest for independence thus marking the birth of our great nation.

BE IT HEREBY RESOLVED BY THE ALABAMA SENATE BODY That we deplore actions that would tend to disunite our country, interfere with the due process of law, aid and abet our enemy, demoralize our youth or in any way weaken our republic.

BE IT FURTHER RESOLVED that we commend the example of Bessemer Tech and support their movement toward the values of the American Heritage with God Speed. That our Governor to annually proclaim Patriots Day, April 19, as a day of observance to give due respect and recognition to our courageous ancestors.

BE IT FURTHER RESOLVED that we reaffirm our own belief in our American Heritage and our Christian values by adopting said resolution by acclamation.

On motion of Mr. Gilmore, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Clark offered the following Senate Resolution, to-wit:

S. R. 20. WHEREAS, the North Wing of the Capitol, adjacent to the Senate Chamber, is composed of offices for the Lieutenant Governor, the Senators, Senate personnel and a Senate Lounge for the comfort of the Senators and their invited guests, and

WHEREAS, the members of the Senate have found at times that it becomes increasingly difficult for them to attend to their official duties in a quick and efficient manner when these corridors, offices and Senate Lounge are crowded with unauthorized personnel,

NOW THEREFORE BE IT RESOLVED BY THE SENATE, that the Secretary of the Senate make every effort to keep this area in such a manner

that the business of the State of Alabama can be conducted efficiently and properly.

On motion of Mr. Clark, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 12. Relative to adjournment of the two Houses.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING

The Bill:

S. 231. To amend Act 22, First Special Session 1969, approved May 14, 1969 so as to change the effective date thereof.

was taken up.

Mr. Turner offered the following amendment to the Bill, S. B. 231, to-wit:

AMENDMENT TO S. B. 231

To amend Senate Bill 231 by changing Section 1 to read as follows:

"Section 1. That Section 3 of Act 22, H. B. 29, First Special Session, 1969, approved May 14, 1969, be and is hereby amended to read:

"Section 3. This Act shall become effective August 1, 1969."

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Pelham	
Albea	Engel	Lindsey	Skidmore	
Bailes	Folsom	McCarley	Stone	
Branyon	Giles	McDermott	Torbert	
Childs	Goodwyn	Morrow	Turner	
Clark	Harris	Nabors	Vacca	
Cooper	Hawkins	Oden		—26

Nays: —0

And said Bill, S. B. 231, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Albea	Folsom	McCarley	Pierce	
Bailes	Giles	McDermott	Skidmore	
Branyon	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Cooper	Hawkins	O'Bannon	Turner	
Dominick	Jackson			—25

Nays: —0

The Bill:

S. 303. To amend Act No. 403, Section 2, Acts of Alabama 1967, Vol. II, Page 1016, which provides for the sale of bonds in the amount of $5,000,000 for the purpose of constructing and equipping a four year college or branch of Auburn University.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Folsom	McCarley	Pierce	
Albea	Giles	McDermott	Radney	
Bailes	Goodwyn	Morrow	Skidmore	
Branyon	Harris	Nabors	Stone	
Childs	Hawkins	O'Bannon	Torbert	
Clark	Jackson	Oden	Turner	
Cooper	Lindsey	Pelham	Vacca	
Dominick	Lolley			—29

Nays: —0

ADJOURNMENT

At 1:58 P.M., on motion of Mr. Cooper, in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, June 3, 1969, at 2 o'clock P.M.

SEVENTH LEGISLATIVE DAY

TUESDAY, JUNE 3, 1969

The Senate met pursuant to adjournment, President Pro Tempore Goodwyn presiding.

PRAYER

The Session was opened with prayer by the Reverend William Jay Treat, Curate, St. John's Episcopal Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	Oden	Vacca
Dominick	Jackson		

—33

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Sixth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JOHN HAWKINS, JR.
Vice-Chairman.

COMMITTEE REPORT

On motion of Mr. Hawkins, the foregoing report was concurred in and the Journal of the Senate for the Sixth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Torbert, leaves of absence were granted Messrs. Adams and O'Bannon for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Folsom and Branyon:

S. 408. To make an appropriation from the General Fund of the State Treasury to the use of the Agricultural Center Board for expenditure by said Board in the promotion of agriculture and agricultural fairs throughout the State by providing State aid for the payment of prizes, premiums and awards for agricultural and related exhibits at bona fide agricultural fairs; to provide the manner, methods and procedure under which funds appropriated for this purpose shall be disbursed; and to authorize the Agricultural Center Board to

appoint a special awards committee for fairs and to adopt rules and regulations to effectuate the intent and purpose of this Act.

Committee on Finance and Taxation.

By Mr. Branyon:

S. 409. Relating to countries having a population of not less than 15,500 nor more than 16,300; increasing the salary of the deputy solicitor in such counties.

Committee on Local Legislation No. 1.

By Mr. Skidmore:

S. 410. Relating to counties having populations of not less than 100,000 nor more than 115,000; to provide an additional, alternative procedure whereby cities and towns in such counties may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

Committee on Local Legislation No. 1.

By Mr. Turner:

S. 411. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Committee on Finance and Taxation.

By Mr. Turner:

S. 412. To make appropriations from the State Treasury for Capital improvements.

Committee on Finance and Taxation.

By Mr. Turner:

S. 413. To prohibit the use of Interstate and limited access highways by pedestrians, bicycles, motor driven cycles, animal drawn vehicles and persons riding animals.

Committee on Public Roads and Highways.

By Mr. Turner:

S. 414. To prohibit parking, stopping or standing on interstate and limited access highways.

Committee on Public Roads and Highways.

By Mr. Turner:

S. 415. To amend Code of Alabama 1940, Title 35, Section 115, which relates to compensation for injury, disability and death of members of the state militia.

Committee on Finance and Taxation.

By Mr. Turner:

S. 416. To revise and amend all of Section 58 (9) of Title 36, 1940 Code of Alabama, as Recompiled 1958, regulating operation of vehicles on the highways.

Committee on Public Roads and Highways.

By Mr. Turner:

S. 417. To prohibit the use of parking lights on motor vehicles except when the vehicle is stationary.

Committee on Public Roads and Highways.

By Mr. Lolley:

S. 418. Relating to Pike County; to provide for election of County Commissioners by the qualified electors of the county at large.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and inactment made:

A BILL
TO BE ENTITLED
AN ACT

Relating to Pike County; to provide for election of County Commissioners by the qualified electors of the county at large.

Section 1: From and after the effective date of this Act each candidate for the office County Commissioner of Pike County at the time of his qualification as a candidate for such office shall reside in and be a qualified elector of the district he is a candidate to represent; but all County Commissioners shall be elected by the qualified electors of the county at large.

Section 2: All laws and parts of laws and laws in conflict with the provisions of this act are to the extent of the conflict repealed.

Section 3: This act shall become effective immediately upon its passage and its approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
PIKE COUNTY

Before me, Maurine Bryan, a Notary Public in and for said State and County, personally appeared Robert L. Winebarger, who being sworn deposes and says on oath, that he is the General Manager of THE TROY MESSENGER, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice A Bill to be Entitled An Act Election County Commissioners was published in said newspaper 4 times, the same appearing in the issues dated: May 12, 19, 26, June 2.

ROBERT L. WINEBARGER,
Gen. Mgr.

Sworn to and subscribed before me this the 2 day of June 1969.

MAURINE BRYAN,
Notary Public,
Pike County, Ala.

By Mr. McDermott:

S. 419. To amend Sections 71, 75, 76 and 82 of Title 10, Code of Alabama 1940, which provide for the exercise of the power of eminent domain by certain corporations and certain rights and limitations relating to such exercise of the power of eminent domain.

Committee on Judiciary.

By Mr. McDermott:

S. 420. To amend Section 88 of Act No. 414, S. 261, approved November 13, 1959 (General Acts of Alabama 1959, Vol. 2, Page 1055) entitled "An Act to provide further for the organization, admission, consolidation, merger, and dissolution of certain corporations, and to prescribe the powers, authority, and duties of such corporations, and of the officers, directors, and stockholders thereof; subject to the provisions of Section 100 of this Act, to repeal Sections 1 through Section 15, Sections 17 and 18, Sections 22 through 47, Section 70, Sections 91 through 101, Sections 103 through 110, Sections 189 through 197, all as contained in Title 10 of the Code of Alabama of 1940 as amended; and Section 198 of Title 10 of the Code of Alabama of 1940." by adding pipeline companies to the corporations included in said Section 88.

Committee on Judiciary.

By Mr. McDermott:

S. 421. To provide for an exemption from ad valorem taxation of the property owned by the Mobile Carnival Association and parading organizations affiliated with it.

Committee on Finance and Taxation.

By Mr. Jackson:

S. 422. Relating to counties having a population of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census; increasing the salary of the Judge of the Inferior Court for such counties.

Committee on Local Legislation No. 1.

By Mr. Radney:

S. 423. To propose an amendment to the Constitution of Alabama establishing a judicial department of the State of Alabama, and specifying and vesting the judicial power of the State of Alabama; to establish the jurisdiction of the Supreme Court of Alabama, the Court of Appeals of Alabama, the circuit courts of Alabama and a court of uniform limited jurisdiction to be known as a Magistrate's Court; to provide for the method of selection of justices and judges of the courts of Alabama and to establish their eligibility; to provide for the tenure of office of justices and judges and for the method of their retirement because of age or incapacity, as well as for their removal from office because of incapacity or misconduct; to provide the method of fixing the compensation of justices and judges of Alabama; to provide for an executive head of the Judicial System of Alabama charged with the prompt disposition of the judicial business of State Courts; and to repeal sections 139, 140, 142–149 inclusive, 151–161 inclusive, 168, 171 and 172 of the Constitution of Alabama of 1901.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Radney:

S. 424. Relating to Elmore County: abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF ELMORE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Elmore County; abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established in Elmore County, a court of record to be known as and called the Elmore County Court, which Court shall have and exercise civil and criminal jurisdiction as hereinafter provided.

Section 2. The Elmore County Court shall have civil jurisdiction in all civil matters of which justices of the peace of Elmore County have jurisdiction under the general laws of the State of Alabama, concurrently with the several justices of the peace in the county; and in addition thereto, the court shall have jurisdiction, concurrently with the circuit court of Elmore County, of all matters, suits, and actions at law which are in amount more than the jurisdiction of the justices of the peace, and not more than $1,200, and when the value of the property sued for in a suit in detinue is not more than $1,200; provided, however, that the court shall not have and exercise civil jurisdiction of actions in the nature of ejectment; and the court shall have original jurisdiction, concurrently with the circuit court of Elmore County, of all misdemeanors committed in the county. It shall have preliminary juris-

diction of all felonies, and of bastardy and of other criminal and quasi-criminal proceedings cognizable before justice of the peace courts. The court shall have jurisdiction of all matters, suits, and actions cognizable before a juvenile court; and of all cases of desertion and non-support arising under the provisions of Article 3, Chapter 4, Title 34, Code of Alabama (1940). The jurisdiction of the Elmore County Law and Juvenile Court, as hereinabove provided, shall be coextensive with the county. The court may suspend execution of sentence and place on probation any person convicted of a misdemeanor, the same as the circuit court, and the period of probation or suspension of execution of sentence shall be determined by the court.

Section 3. The judge of the court shall have been a resident in and a qualified elector of the county for at least two years at the time of his appointment or election, and shall reside in the county during his continuance in office. He shall be at least 25 years of age, learned in the law and shall have been admitted to the practice of law in this State. He shall not during his term of office act as attorney in any case or matter that has previously been in or is in this court, but may practice in all other matters and all other courts. This act shall become a law and be in full force and effect upon its passage and approval by the Governor, but it shall not affect the term of office of the present judge of the Elmore County Law & Juvenile Court or his successor in office. Such incumbent judge shall be the judge of the court created and established herein until the first Monday after the second Tuesday in January, 1975, and until his successor is elected and qualified as now required by law, or as provided in this act. He shall perform the duties, and receive the compensation as herein provided for the judge of this court.

Section 4. The term of office of the judge of this court, who shall be elected by the qualified electors of the county, at the general election for state and county officers in the year 1974 and every six years thereafter, shall be for six years from the first Monday after the second Tuesday in January, 1975, and until his successor is elected or appointed and qualified. Upon the passage and approval of this act, or upon its otherwise becoming a law, the Governor shall issue a commission to the incumbent judge of the Elmore County Law & Juvenile Court at the time this act becomes effective as judge of the Elmore County Court, as herein provided; and after the election of the judge of this court as herein provided the Governor shall likewise issue to him a commission as such judge. Before entering upon the duties of his office, the judge of this court shall take the oath of office in the form required by law to be taken by judges of the circuit court of this State and he shall be removed from office for the same causes and in the same manner as is now or may be hereafter provided for removal of circuit judges. In the event of the vacancy caused by the resignation, removal or death of the judge, or for other causes, the Governor shall fill the office by appointment and the person so appointed shall hold office as provided for in Section 158 of the Constitution of this State. In case the judge shall be unable at any time to discharge the duties of his office by reason of sickness, disqualifications, or other causes, the judge shall make, or cause to by made by the clerk thereof, when the facts warrant it, an order setting forth the reasons of his inability to sit in the court, and the order shall be spread on the minutes of the court. Thereupon, the clerk of this court shall designate and appoint in writing, which appointment shall be spread on the minutes of this court, some practicing attorney of the county or State of Alabama who is learned in the law, as special judge thereof, and the person so designated and appointed shall perform all of the duties and exercise all of the powers and authority of the judge of this court, and shall hold said office until the regular judge thereof shall resume his duties. The said special judge shall receive not less than $5.00 nor more than

$50.00 as compensation for his services for each day he serves as judge of this court, said compensation to be fixed by the clerk of said court payable in the same manner and from the same funds as the compensation of the regular judge is paid. The regular judge of this court shall have authority to administer oaths, and take acknowledgments and affidavits in all cases, and to solemnize marriages, the same as circuit judges of this State.

Section 5. The judge of the Elmore County Court shall receive a salary of Ten thousand dollars ($10,000) per annum, payable in equal monthly installments out of the general fund of the county, upon the warrant of the probate judge. Such judge is hereby authorized and directed to issue monthly warrants which shall be a preferred claim against the general fund.

Section 6. The clerk of the Circuit court of the county shall act and be clerk of the Elmore County Court, hereby established, and he shall keep a civil and criminal docket of all cases brought before the court, and all of the minutes and records as are now required by law to be kept by clerks of the circuit courts, and he shall have authority to issue all necessary summonses and complaints as to all cases filed in the court, and all other civil and criminal process which clerks of the circuit courts are now required or empowered by law to issue. He shall have authority to swear witnesses at the trial of all cases in the court. It shall be the duty of the clerk to tax and collect in each civil and criminal case in the Elmore County Court the same costs and fees for services of the solicitor, the clerk, the sheriff, and the witnesses as are now allowed by law to be taxed, charged, and collected in the circuit court of this State, which he shall disburse as is now required of said fees in the circuit courts of Elmore County, except as may be hereinafter provided. It shall also be the duty to collect, or receive from the sheriff, all fines and forfeitures in the court, which together with the solicitor's fees taxed and collected in the court, he shall pay into the fine and forfeiture fund of the county, in the same manner as now provided for the disposition of such funds in the circuit court of Elmore County. The clerk shall tax in each civil case, except when the amount involved is less than $101.00, a trial fee of two dollars and shall tax in all criminal cases a trial fee as hereinafter provided, to be collected as all other costs are collected, and when collected, to be paid into and become a part of the general fund of the county. The court costs and fees in all prosecutions in the Elmore County Court for violations of the prohibition laws, for carrying a concealed weapon, and for petit larceny or offenses of petit larceny grade, adultery, and assault with a weapon, shall be the same as those prescribed for county courts by the general laws of the state, except that the trial tax in such cases shall be three dollars. The court costs and fees for misdemeanors other than violation of the prohibition laws, carrying a concealed weapon, petit larceny or offenses punishable like petit larceny, adultery, and assault with a weapon, in bastardy proceedings, in peace proceedings, and in preliminary examinations shall be the same as those prescribed by the general laws of the state; provided, that in all such cases the trial tax shall be one dollar and no solicitor's fee shall be taxed as a part of the cost. Witness fees taxed and collected in civil cases shall be retained by the clerk and paid over to any witness entitled to such fee, who in not more than five days proves his attendance upon the court in any case therein pending by obtaining a witness certificate, and who presents to the clerk such certificate for payment within ninety days after the payment of costs in the cases in which the certificates were issued. No costs shall be taxed in any civil case for witness fees of any witness who fails to prove his attendance as a witness and to obtain a witness certificate within the five day period prescribed. In case any civil witness certificate is issued, but not presented for payment within ninety days after the payment of costs in the case in which the certificate was issued, the witness

fee shall revert to the general fund of the county. The clerk shall pay to the county treasurer, for the use of the general fund, all such reverted fees in his hands on the first Monday of each month. State witness fees in criminal cases shall be taxed, collected, paid into, and disbursed from the fine and forfeiture fund of the county. Each witness attending court in civil cases shall be entitled to seventy five cents per day and five cents per mile actually travelled by the most direct route in going to court and returning home and the witness fees shall be taxed as a part of the costs and shall be collected and disposed of as herein provided. It is expressly provided that Act No. 586 approved September 8, 1967 (1967 Acts of Alabama, Volume II page 1358 and 1359), shall apply to said Court, and that the costs and fees provided for therein shall be collected in addition to the costs and fees provided for in this Act. The clerk shall attend upon the sessions of the court at such hours as are designated by the judge thereof and shall perform such other duties as may be prescribed by the judge of the court and by this act, either in person or by deputy. The clerk shall issue certificates of judgments of the court, in the same form as is now provided by law for issuance of certificates of judgments from the circuit courts. The owner of any judgment rendered by the court may file in the office of the judge of probate of any county in this State such certificate of judgment issued by the clerk as hereinabove provided, under the same procedure and in the same manner as is now or may hereafter be provided for filing certificates of judgments rendered by the circuit courts of this State; and when so filed such judgments shall be a lien in the county where filed on all property of the defendant which is subject to levy and sale under execution. The filing of such certificate of judgment shall be notice to all persons of the existence of the lien thereby created. Such lien shall continue for ten years from the date of such judgment and no insolvency proceedings or declaration of insolvency shall affect or impair such lien, except bankruptcy proceedings instituted within four months after the filing of the certificate, provided by law. Execution may be issued at any time within ten years from the date of such judgment, whether execution has been previously issued or not. The clerk of the court, before entering into the duties of his office, shall give bond in such penal sum as may be prescribed by the court of county commissioners of the county, payable and conditioned as are official bonds required of clerks of the circuit courts, to be taken and approved by the judge of probate of the county, and recorded in the probate office of the county. There shall be the same liabilities and remedies upon said bonds as upon bonds of the clerks of the circuit court of this state. The premium on the bond or bonds shall be paid out of the general fund of the county.

Section 7. The sheriff of Elmore County shall, in person, or by deputy, be required to attend upon the court and to preserve order and execute all writs or process issued therefrom, and to perform such other duties in all respect as he is required by law to perform in the circuit court of Elmore County.

Section 8. The deputy solicitor for the county shall prosecute for the state all criminal cases in the court created by this act. His entire compensation shall be a salary of Four thousand eight hundred dollars ($4,800) per annum, to be paid out of the general fund of the county, in equal monthly installments on the warrant of the probate judge. Such warrants shall be preferred claims against the general fund of the county.

Section 9. There shall be a Tallessee Division and a Wetumpka Division of the Court. The Tallessee Division shall include and be composed of the following beats or precincts in Elmore County, viz: Precinct 1, precinct 2, precinct 3, precinct 4, precinct 13, and precinct 19; and the Wetumpka Division shall include and be composed of the

following precincts in Elmore County, viz: Precinct 5, precinct 6, precinct 7, precinct 8, precinct 9, precinct 10, precinct 11, precinct 12, precinct 14, precinct 15, precinct 16, precinct 17, and precinct 18. The sessions of the court of the Tallassee Division shall be held at some place in the city of Tallassee or in the police jurisdiction thereof, and the sessions of the court of the Wetumpka Division shall be held at the Court house in the City of Wetumpka. The court, at the discretion of the judge, shall be open any day during the week, except Sunday, for the trial of cases coming within the jurisdiction of the court. On the first and third Mondays of each month there shall be held a session of the court for the handling, trial, and disposition of all criminal and quasi-criminal cases therein pending in the Wetumpka Division of Elmore County, which shall continue as long as necessary to dispose of the docket; and on the second Monday of each month there shall be held a session of the court for the handling, trial, and disposition of all cases therein pending in the Tallassee Division of Elmore County, which shall continue as long as necessary to dispose of the docket. On the fourth Monday of each month, there shall be held a session of the court in the Wetumpka Division for the handling, trial and disposition of all civil cases therein pending which shall continue as long as necessary to dispose of the docket. But any session of the court in either of the divisions may be dispensed with and continued by the judge when, in the opinion of the judge, the public good or public necessity requires such continuance. As to all civil and criminal actions of which the court shall have jurisdiction, the venue of the acts shall be determined as if each of the two divisions of the county hereinabove provided for constituted a separate county, except that after any actions instituted in either division of the court, the judge of the court shall have the power and authority to order the transfer or removal of any such action to the other division of the court for trial. All suits and actions on contract or in tort except as otherwise provided in this act must be brought in the division in which the defendant or one of them resides or in which the debt was created or cause of action arose.

Section 10. All prosecutions for misdemeanors may be instituted in the court by making affidavit before the judge or the clerk of the court, and the writ on said affidavit shall be issued by the clerk. In all preliminary proceedings in prosecutions for felonies begun in the court, the same may by instituted by affidavit before the judge or clerk, and the writ thereon shall be issued by the judge or the clerk. When the defendant is arrested on affidavit and warrant charging a misdemeanor the case shall go to the docket for trial and be tried as though the defendant had been indicted by a grand jury, except as hereinafter provided. The defendant shall not be put upon trial in any cause within five days of his arrest, except with his consent. The judge of the court shall have the right and authority to issue all processes returnable into his court that are not especially provided to be issued by the clerk of the court, but he shall not prepare any summons and complaints, garnishments, detinue attachments, papers or other writs of process issuing out of said courts. All writs must be made returnable to the division of this court in which the alleged crime was committed.

Section 11. All criminal cases in the court shall be tried by the judge thereof without a jury, and the accused shall not have the right to demand a trial by jury, but in all trials of criminal cases in the court, the judge shall determine both the law and the facts without the intervention of a jury, and in cases of conviction the defendant shall have the right to appeal to the circuit court as provided for in Section 326 of Title 13 of the Code of Alabama (1940,) except that appeal bonds shall be approved by the clerk of the court, and a jury trial may there be had on the demand of the defendant, made at the time of taking the appeal.

Section 12. A party aggrieved or desiring to bring a charge of misdemeanor before this court may, upon applying to the judge or clerk for a warrant of arrest and upon making affidavit in writing that he has probable cause for believing and does believe, that a specifically identified property, as the case may be, then the judge or clerk of the ccurt shall examine the affiant under oath, and other witnesses if he so desires, touching the offense charged in the affidavit, and if the judge or clerk has probable cause for believing that the offense alleged in the affidavit has been committed he shall issue his warrant of arrest as hereinabove provided. When there is an objection to the validity or sufficiency of any affidavit, complaint, or warrant pending in this court or when a defect appears in any of the same, the solicitor or other person prosecuting for the state shall have the right to amend any or all the papers to which the objection is directed, or where such defect appears; or the solicitor may instead of amending the papers, make a brief statement of the cause of complaint signed by him, which may be substantially in the form provided in Section 259 of Title 15 of the Code of Alabama (1940) as amended and may be amended as herein provided. Thereupon the court shaall proceed to try the case either upon the original papers or the original as amended, or upon the statement or statements filed by the solicitor or other person prosecuting for the state.

Section 13. All proceedings in the court as to judgment for fine and costs, confession of judgment and executions thereon, sentence to jail or hard labor for fines and costs, and as additional punishment, bail, conditional judgments, forfeitures, judgments, final and alias warrants of arrest, shall be the same in the Elmore County Court, as are now, or may hereafter be, provided for by law in the circuit courts; and conditional judgments may be set aside therein, reduced, or made absolute and the same orders and judgments may be made and taken in such matters as could be made or taken in the circuit courts; and the same procedure shall be followed, except as otherwise provided by this act.

Section 14. The trial of all criminal appeals from this court in the circuit court shall be de novo, and without any indictment or presentment by the grand jury; but the solicitor shall make a brief statement of the cause of complaint signed by him, in substantially the form prescribed by Section 259 of Title 15 of the Code of Alabama (1940), as amended, or the trial may proceed upon the original affidavit or complaint. On the trial of such appeal, the court shall be governed by the same rules as to evidence, practice, find of the jury, and punishment as if the case had originated in that court.

Section 15. All general laws relating to misdemeanors, now in force or that may hereafter be enacted, shall apply to and extend to this court, unless the contrary be expressly provided or limited by the laws so enacted.

Section 16. In all civil actions in this court the pleadings and process and the time for filing pleadings shall conform to and be governed by the statute and rules obtaining in the circuit court of Elmore County, except that the issuance, levy, and collection of executions from this court shall be controlled by the laws now applicable to justice courts of this state, and the defendant shall have only ten days to plead, answer, or demur to a complaint filed against him.

Section 17. In all civil matters in this court the trial of the same shall in all respects be governed by the same rules of pleading, evidence, procedure, and practice as now prevail or govern in the circuit courts of this state, except as hereinafter provided. A party litigant after being served with statutory interrogatories shall be required to

answer the interrogatories within thirty days, and upon his failure to do so shall be subject to the same pains and penalties as are now provided by law for failure to answer interrogatories propounded in the circuit court. Any party desiring to appeal from any judgment rendered in this court, except from judgments for the possession of real estate, may give security for the cost of the appeal in the form of an appeal bond, said bond to be approved by the clerk of said court; provided that if the party appealing desires to have the judgment superseded, when the judgment is for the payment of money or for the recovery of possession of personal property he may do so by giving a supersedeas bond with good and sufficient security or surety in such an amount as herein provided payable to the adverse party and approved by the clerk with the condition that if he fail in the appeal he will pay such judgment as the circuit court may render in the premises and all such cost and damages as any party aggrieved may sustain by reason of the wrongful appeal and suspension of the execution of the judgment. The appeal bond and security of surety for court cost and supersedeas bonds must be filed with and approved by the clerk within ten days from the date of the rendition of the judgment. The supersedeas bond shall be in an amount double the amount of the judgment and cost of court in the case of a judgment for the pay ment of money; and shall be in the amount double the value of the personal property recovered in the suit and court costs, in the case of a judgment for the recovery of or possession of personal property. Any party desiring to appeal from any judgment rendered in this court for the possession of real estate may do so and that appeal shall be governed in all respects, including time allowed within which to take the appeal, amount and condition of appeal bond and in all other respects, by the general laws of this state relating to appeals in such cases from judgments of justice of the peace courts. Notice of all appeals in civil cases from this court shall be given the adverse party in such manner and for such time as is prescribed by the general laws of this state relating to notice of appeals from judgments rendered in justice of the peace courts.

Section 18. All civil cases in this court shall be tried by the judge without the intervention of a jury. The judge shall determine both the law and the facts, and either party shall have the right to appeal to the circuit court as hereinabove provided, and on appeal either party may demand a trial by jury on the trial in the circuit court and the trial in the circuit court shall be de novo.

Section 19. Final judgments rendered in civil causes in such court shall after the expiration of ten days from their rendition be taken and deemed to have passed beyond the control of the court, as if such term of the court at which the judgments were rendered had ended; provided, however, that nothing herein contained shall prevent the parties from filing a motion to vacate, set aside, or modify such judgment or grant a new trial or rehearing within ten days, or change or destroy the office of motion for a new trial or rehearing, when so made. Such motions shall be filed with the clerk of the court and called to the attention of the court, and the court may thereupon hear the motion or make an order continuing the motion for hearing at a future day, which motion shall be heard and determined within thirty days from the date of rendering the judgment.

Section 20. The judge of this court shall have the power to impose fines and sentence to hard labor upon convictions in misdemeanor cases, and to punish for contempt by fine not to exceed $50.00, and imprisonment in the county jail not to exceed five days, either or both, the same as judges of the circuit courts of this state. The judge of this court shall also have power to issue, hear, and determine writs of habeas corpus. The procedure, practice, and rules of the

circuit courts of Alabama relating to such writs as are now, or which hereafter may be provided by law shall prevail in the Elmore County Court, and appeals from judgments or decrees in habeas corpus proceedings shall be governed by Code 1940, Title 15, Section 369. The judge shall have the same power relating to such writs as is now, or hereafter may be, conferred upon the judges of the circuit courts of Alabama; and such power shall extend to all cases where the judges of the circuit courts have the authority to issue such writs.

Section 21. The judge of this court shall keep an office in the court house of the county, or in such other suitable place in the county as the court of county commissioners may provide; and it shall be the duty of the court of county commissioners to provide an office for the judge, and to furnish and supply the office with the necessary fixtures, stationery, stamps, telephone, lights, heat, and other necessary supplies for the judge of this circuit; and it shall be the duty of the court of county commissioners, and they are hereby directed and authorized, to supply the clerk of the court the necessary minute books, dockets, blank forms, records books, and such other books, records, and blank forms, as are reasonably necessary to the dispatch of the business of this court.

Section 22. The Elmore County Law & Juvenile Court is hereby abolished and all cases and causes now pending in such court, together with the records pertaining to such pending cases, are hereby transferred to the Elmore County Court. Immediately upon the passage and approval of this act or upon its otherwise becoming a law, such court shall assume complete jurisdiction over all such pending cases, and shall have the same power and control over the same as if they had been originally filed in the Elmore County Court, except as to appeals in habeas corpus cases. The clerk of this court shall enter on the appropriate dockets of this court all cases now pending in the Elmore County Law and Juvenile Court. All judgments heretofore rendered by such court shall be the same and shall have the same force and effect as if they had been rendered by the Elmore County Court, and such court shall have the same power and control, except as to appeals in habeas corpus cases, over such judgments and shall issue executions and all other processes thereon, the same and as fully and completely as if such judgments had been originally rendered in the Elmore County Court. All of such executions and other processes issued on judgments heretofore rendered by the Elmore County Law and Juvenile Court shall be issued by the clerk of the Elmore County Court.

Section 23. If, for any reason any section, clause or provision of this act shall be declared to be invalid, or unconstitutional, it shall not be held to affect any other section, clause or provisions but the same shall remain in full force and effect.

Section 24. All laws and parts of laws, whether local, general or special, in so far as they conflict with the provisions of this act, are hereby repealed.

Section 25. This act shall become effective October 1, 1969.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared John P. Harris, who, being by me first duly sworn, deposes and says that during the times herein

mentioned he was publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 1, May 8, May 15, and May 22, all in the year 1969.

JOHN P. HARRIS.

Sworn to and subscribed before me May 28, 1969.

MRS. ELLEN T. HARRIS,
Notary Public.

Also:

By Mr. Radney:

S. 425. To alter, rearrange, redefine, and extend the boundary lines and corporate limits of the Town of Camp Hill, in Tallapoosa County, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, redefine, and extend the boundary lines and corporate limits of the Town of Camp Hill, in Tallapoosa County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of Camp Hill in Tallapoosa County are hereby altered, rearranged, redefined and extended so as to include within the corporate limits of the Town a tract of land more particularly described as follows:

In Section 8, Township 21 North, Range 24 East: The southwest quarter and the southeast quarter.

In Section 9, Township 21 North, Range 24 East:

The southwest quarter and the southeast quarter.

In Section 10, Township 21 North, Range 24 East:

The southwest quarter and the southeast quarter.

Section 17, Township 21 North, Range 24 East.

Section 16, Township 21 North, Range 24 East.

Section 15, Township 21 North, Range 24 East.

Section 20, Township 21 North, Range 24 East.

Section 21, Township 21 North, Range 24 East.

Section 22, Township 21 North, Range 24 East.

In Section 29, Township 21 North, Range 24 East: the northwest quarter and the northeast quarter.

In Section 28, Township 21 North, Range 24 East: the northwest quarter and the northeast quarter.

In Section 27, Township 21 North, Range 24 East: the northwest quarter and the northeast quarter.

All the above described lands lying in Sections 8, 9, 10, 15, 16, 17, 20, 21, 22, 29, 28, and 27, Township 21 North, Range 24 East, Tallapoosa County, Alabama.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the DADEVILLE RECORD, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on December 19, December 26, January 2, and January 9, all in the year 1968 and 1969, respectively.

J. C. HENDERSON.

Sworn to and subscribed before me January 13, 1969.

VONCILLE M. DEAN,
Notary Public, State of Alabama at Large.

My commission expires January 18, 1971.

By Mr. Oden:

S. 426. To make a conditional appropriation from the Alabama Special Educational Trust Fund for capital outlay purposes.

Committee on Finance and Taxation.

By Mr. Harris:

S. 427. To amend Code of Alabama 1940, Title 22, Section 258, which prescribes the penalty for possessing, transporting, delivering, selling, offering to sell, barter or give away marijuana and certain other drugs.

Committee on Judiciary.

By Messrs Pierce and Goodwyn:

S. 428. To protect the public health and to conserve and protect the water resources of the state by classifying all public water supply systems and wastewater treatment plants in this state and by requiring the examination of operators and certification of their competency to supervise the operation of such facilities; and to create and provide for a board of certification for such purpose.

Committee on Public Health.

By Messrs. Engel and McDermott:

S. 429. To provide that the Governing Body of any City or town in any county in the State of Alabama having a population, according to the last or any future Federal Census, in excess of 300,000 inhabitants and less than 600,000 inhabitants may, by resolution or ordinance, create the position of Assistant City Attorney on a full time basis, and designate the position to be that of the Senior Assistant City Attorney, or Principal Attorney, or other such appropriate title; and may provide by the same resolution or ordinance that any person presently holding such position in the municipal government shall be immediately placed upon the employment roster of any countrywide Civil Service or merit system of such county, without examination and without any decrease in the salary of such person, and such position shall thereafter remain under the provisions of any such countrywide Civil Service or merit system.

Committee on Local Legislation No. 1.

By Mr. Cooper:

S. 430. Relating to the Fourth Judicial Circuit; providing for an additional circuit court judge in such circuit, and for the designation by number of the associate judgeships in such circuit.

Committee on Public Buildings and Grounds.

By Mr. Albea:

S. 431. To alter, rearrange and extend the boundaries and corporate limits of the Town of Weaver, Calhoun County, Alabama, so as to annex certain territory to the Town.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
CALHOUN COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the Town of Weaver, Calhoun County, Alabama, so as to annex certain territory to the Town.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the Town of Weaver, Calhoun County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of the Town the following described territory in addition to the area now embraced within such boundaries and corporate limits, to-wit:

65.0 Acres in Section 4, Township 15 South, Range 8 East, described as being the NE ¼ of the NE¼ of said Section 4 and all of

the SE ¼ of the NE ¼ of Section 4 lying North of Parker Boulevard as shown by the Map of Shannon Hills Subdivision recorded in the Probate Office of Calhoun County, Alabama, in Plat Book G at Page 34. Also: All that part of the East 4 acres of the South Half of the SW¼ of the NE¼ of Section 4, Township 15 South, Range 8 East, lying West of Parker Boulevard.

SECTION 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
CALHOUN COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Phillip A. Sanguinetti who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary of the Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 11, 18, 25 and May 2, all in the year 1969.

PHILLIP A. SANGUINETTI.

Sworn to and Subscribed before me Lola J. Bright this 23 day of May, 1969.

LOLA J. BRIGHT,
Notary Public.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Goodwyn and Pierce:

S. 402. To provide that the Board of Revenue, or like governing body now existing or that may be hereafter created in all Counties of Alabama, having a population of not less than 160,000 nor more than 300,000 inhabitants according to the 1960 Federal Census or any subsequent regular decennial Federal Census pay to the Recorder of the Recorder's Court of all cities located in said County or counties for ex officio services rendered by the Recorder in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Five Thousand One Hundred and NO/100 (5,100.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury, and providing further for the payment to the designated Prosecuting Attorney of the Recorder's Court located in said County or counties for ex officio services rendered by him in the prosecution of cases in Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Two Thousand Four Hundred and NO/100 (2,400.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury.

By Mr. Lindsey:

S. 406. To amend further Section 1 of Act No. 99, H. 437, Regular Session 1957, as amended, an act fixing the compensation of the county superintendent of education of Washington County, relative to the amount of compensation of said superintendent.

MOTION IN WRITING

Mr. Turner offered the following Motion in Writing, to-wit:

"I move that the select committee created in connection with S. B. 82 be now discharged.

"Turner."

Which was adopted.

RESOLUTIONS

Mr. McCarley offered the following Senate Joint Resolution, to-wit:

S. J. R. 21. WHEREAS the United States Supreme Court whose decisions during the past decade have become increasingly controversial, has now sunk to an all time low, without the respect of a vast majority of the law abiding citizens of this great land; and

WHEREAS the court has not only attempted, with some degree of success, to rewrite the laws of this nation and to change the philosophy upon which it was founded, by means of its warped and often weird decisions; yet the integrity of its individual members has never been seriously questioned. We question the courts integrity no longer. We repudiate it. The scandalous behavior of Mr. Justice Fortas whose delayed conscience prompted his return of a monetary fix after almost a year's struggle between his better judgment and personal greed, is only a case in point. Another is the philandering, multimarriages and financial connections of Mr. Justice Douglas with the Albert Parvin Foundation, a tax free foundation which derives much of its income from mortgages held on Las Vegas gambling casinos. We recall the careful study and time consumed by each justice in reviewing the novel, *Fanny Hill* and other pornographic material submitted to the court for a ruling upon its fitness. The court has consistently held that such subject matter has literary value or artistic merit sufficient to justify its publication, distribution and sale. Some of the opinions rendered on this material may themselves be considered pornography in its most refined form; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA BOTH HOUSES THEREOF CONCURRING, That the entire United States Supreme Court be impeached because of the vile, filthy, pornographic little minds of its members.

RESOLVED FURTHER That copies of this resolution be sent to the following: the President and Vice President of the United States; the Speaker of the House and the Judiciary Committees of the House and Senate of the Congress of the United States.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Mathews and Fite:

H. J. R. 21. WHEREAS, under House of Representative Resolution No. 156 adopted August 17, 1965, certain positions of employees of the Legislature were made permanent to remain and serve after the sine die adjournment of the Legislature at the same rate of pay for such time as needed by the Chairman of the Ways and Means Committee, and

WHEREAS, such positions have been considered permanent and covered under the Employees' Retirement System of Alabama from September 1, 1965,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING THEREIN, That service rendered prior to September 1, 1965, shall be creditable in the Employees' Retirement System of Alabama upon payment of contributions which would have been made had these employees been allowed to join the Retirement System, plus regular interest to date of payment with such payments for all service rendered not to be creditable prior to 1953. Such payment shall be made within 8 months after passage of this resolution.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 21, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Mathews and Fite:

H. J. R. 22. WHEREAS it is the consensus of this body that any person who is employed by the Legislature of this State and who at the time of employment by the Legislature had any status whatsoever under Code of Alabama 1940, Title 55, Chapter 9 in the classified service of the State, as defined by said Chapter 9, should not thereby nor by reason of continued service for the Legislature lose such status; and

WHEREAS the State Personnel Board has promulgated a rule to the effect that any person who has held a permanent appointment in the classified service and has resigned in good standing may have his name placed on a reemployment list and remain on such list no longer than four years; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the State Personnel Board is hereby memorialized and directed to amend the above mentioned

rule so that it will provide that any employee of the Legislature who, at the time he was employed by the Legislature, was entitled to have his name placed on a reemployment register, may have his name remain on such reemployment register so long as he is employed by the Legislature of this State and for a period of not less than six months after he leaves the service of the Legislature, provided he leaves the service of the Legislature in good standing.

The Clerk of the House of Representatives is hereby directed to transmit a duly authenticated copy of this resolution to the Secretary of the State Personnel Board.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 22, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING

The Bill:

S. 82. To be known as the Alabama Consumer Credit Code, relating to certain consumer and other credit transactions and constituting the uniform consumer credit code; consolidating and revising certain aspects of the law relating to consumer and other loans, consumer and other sales of goods, services and interests in land, and consumer leases; revising the law relating to usury; regulating certain practices relating to insurance in consumer credit transactions; providing for administrative regulation of certain consumer credit transactions; making uniform the law with respect thereto; and repealing inconsistent legislation, including the following laws and parts of law:

Code of Alabama 1940: Title 9, § § 61, 65, and 66; Title 28, § 296; and Title 51, § 495 as amended by Act No. 680, General Acts of Alabama, Regular Session (1953); and Act No. 374 General Acts of Alabama, Regular Session 1959, known as the Alabama Small Loan Act; and to amend the following laws:

Code of Alabama 1940: Title 9, § 60; and Title 5, § 120.

was taken up.

Mr. Turner offered the following amendment to the Bill, S. B. 82, to-wit:

AMENDMENT TO S. B. 82

Amend Senate Bill 82 as follows:

In Section 1.106 (2) at the end of subsection (a), insert "and"; and at the end of subsection (b), change the semicolon to a period and strike the word "and" and strike subsection (c).

Amend Section 1.301 by striking subsection (8) and substituting in lieu thereof the following:

" 'Earnings' means compensation paid or payable to an individual or for his account for personal services rendered or to be rendered by him, whether denominated as wages, salary, commission or bonus."

Amend Section 2.201 (2) (a) (i) by striking "36 per cent" and substituting in lieu thereof "30 per cent."

Amend Section 2.201 (2) (a) (ii) by striking "21 per cent" and substituting in lieu thereof "20 per cent."

Amend Section 2.207 (3) by striking the first sentence and substituting in lieu thereof the following:

"If the billing cycle is monthly, the charge may not exceed 1½ per cent of the amount pursuant to subsection (2)."

Amend Section 2.207 (4) by inserting immediately following "Notwithstanding subsection (3)" the following words:

"and in lieu thereof,"

Further amend Section 2.207 by striking subsection (5) thereof.

Amend Section 2.415 (2) by striking subsection (a) and by substituting in lieu thereof the following:

"(a) there is or has been a violation of the provisions of this act, and"

Amend Section 3.407 (2) by striking subsection (a) and substituting in lieu thereof the following:

"(a) there is or has been a violation of the provisions of this act, and"

Amend Section 3.502 by striking the same and substituting in lieu thereof the following:

"AUTHORITY TO MAKE REGULATED LOANS Unless a person is a supervised financial organization or has first obtained a license from the Administrator authorizing him to make regulated loans, he shall not engage in the business of

"(1) making regulated loans, or

"(2) taking assignments of and undertaking direct collection of payments from or enforcement of rights against debtors arising from regulated loans, but he may collect and enforce for three months without a license if he promptly applies for a license and his application has not been denied."

The provisions of Sec. 3.503 shall apply to licensing a regulated lender.

Amend Section 3.504 by striking subsection (1) and by substituting in lieu thereof the following:

"(1) The Administrator may issue to a person licensed to make regulated loans an order to show cause why his license should not be revoked or suspended for a period not in excess of 6 months. The order shall state the place for a hearing and set a time for the hearing that is no less than 10 days from the date of the order. After the hearing the Administrator

"(a) shall revoke the license if he finds that:

"(i) the licensee has repeatedly and willfully violated this Act or any rule or order lawfully made pursuant to this Act; or

"(ii) facts or conditions exist which would clearly have justified the Administrator in refusing to grant a license had these facts or conditions been known to exist at the time the application of the license was made;

"(b) may suspend the license if he finds that the licensee has violated this Act or any rule or order lawfully made pursuant to this Act."

Amend Section 3.505 (1) by striking the third sentence and substituting in lieu thereof the following:

"The records need not be kept in the place of business where regulated loans are made, if the Administrator is given free access to the records wherever located."

Amend Section 3.506 by striking subsection (2) and substituting in lieu thereof the following:

"(2) If the lender's records are located outside this State, the lender at the option of the Administrator shall make them available to the Administrator at a convenient location within this State, or pay the reasonable and necessary expenses for the Administrator or his representative to examine them at the place where they are maintained. The Administrator may designate representatives, including comparable officials of the State in which the records are located, to inspect them on his behalf."

Amend Section 3.508 (2) (a) (i) by striking "36 per cent" and substituting in lieu thereof "30 per cent".

Amend Section 3.508 (2) (a) (ii) by striking "21 per cent" and substituting in lieu thereof "20 per cent".

Amend Section 4.109 by striking the same and substituting in lieu thereof the following:

"Sec. 4.109. EXISTING INSURANCE; CHOICE OF INSURER If a creditor requires insurance, upon notice to the creditor the debtor shall have the option of providing the required insurance through an existing policy of insurance owned or controlled by the debtor, or through a policy to be obtained and paid for by the debtor in an insurance company which is qualified to do business in Alabama."

Amend Section 5.103 by striking subsection (2) and substituting in lieu thereof the following:

"(2) If the seller repossesses or voluntarily accepts surrender of goods which were the subject of the sale and in which he has a security interest and the cash price of the goods repossessed or surrendered was $1000 or less, the buyer is not personally liable to the seller for the unpaid balance of the debt arising from the sale of the goods."

Amend Section 5.105 (2) by striking subsections (a) and (b) and substituting the following:

"(a) 20 per cent of his disposable earnings for that week, or

"(b) the amount by which his disposable earnings for that week exceed fifty times the Federal minimum hourly wage prescribed by Section 6 (a) (1) of the Fair Labor Standards Act of 1938, 29 U. S. C., § 206 (a) (1), in effect at the time the earnings are payable."

Further amend Section 5.105 by striking subsection (4) and substituting in lieu thereof the following:

"(4) The garnishment procedure after judgment shall be the same as provided in Title 7, Section 630 and Section 995 et seq. except that the

amount subject to garnishment shall not exceed 20 per cent of disposable earnings which shall not include periodic payments pursuant to a pension, retirement or disability program."

Amend Section 5.108 by striking subsection (3).

Amend Section 6.104 (5) by striking the last sentence and substituting in lieu thereof the following:

"The report shall identify the creditors against whom enforcement action is taken by the Administrator."

Amend Section 6.106 (2) by striking the first sentence and substituting in lieu thereof the following:

"(2) If the person's records are located outside this State, the person shall at the option of the Administrator either make them available to the Administrator at a convenient location within this State or pay the reasonable and necessary expenses for the Administrator or his representative to examine them at the place where they are maintained."

Amend Section 6.111 by striking subsection (4) thereof.

Amend Section 6.114 by striking the same and thereafter renumber Section 6.115 and 6.116 to 6.114 and 6.115 respectively.

Amend Section 6.404 by striking at the end "(Section 6.404)" and substituting in lieu thereof "(Section 6.403)."

The Bill:

S. 20. To amend section 5 of Act No. 755, Regular Session 1967 (Acts 1967 p. 1609) which act provides for supernumerary tax collectors, tax assessors or other elected officials charged with assessment and/or collection of ad valorem taxes in various counties, to allow persons eligible for those positions to be appointed whether or not they are eligible for retirement under another retirement plan.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Givhan	McDermott	Skidmore	
Branyon	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	Oden	Turner	
Cooper	Leonard			—25

Nays: —0

FURTHER CONSIDERATION OF S. B. 82

The Senate proceeded to further consideration of the Bill, S. B. 82. The question was on the amendment offered by Mr. Turner.

BILLS ON THIRD READING RESUMED

The Bill:

S. 309. To provide for organizing industrial development corporations; provide for definitions; provide the purpose of such corporations; provide that such corporations may be organized under the general laws of Alabama, subject to certain limitations; provide that such corporations may borrow money from members and issue securities and evidences of indebtedness and secure same; provide said corporations may make loans, may acquire the good will, business and assets of persons, firms, and corporations and may acquire real estate and use the same for the purposes of the corporation; provide that corporations organized under the laws of Alabama or transacting business in Alabama are authorized to purchase, hold, and dispose of the securities of industrial development corporations; provide that financial institutions are authorized to become members and make loans to such corporations, subject to certain limitations; provide that financial institutions are authorized to acquire the securities and stock of such corporations; provide such corporations shall set aside a portion of earned surplus from year to year as a reserve fund; provide for selecting depositories for funds of such corporations; provide such corporations shall be subject to examination by a certified public accountant and shall file reports with the Secretary of State; provide for the management of such corporations by a board of directors, a president and officers; provide for the dissolution of such corporations; provide that such corporations shall be state development companies as defined in the Small Business Act of 1958; provide for the payment of annual occupational license tax; provide an effective date.

was taken up.

The Standing Committee on Banking reported the following amendment to the Bill, S. B. 309, to-wit:

SENATE BANKING COMMITTEE AMENDMENT TO SENATE BILL 309

Amend Section 2 of Senate Bill 309, on line one, by deleting the following: "Fifteen (15) or more financial institutions," and inserting in lieu thereof "Five (5) or more financial institutions, or persons."

Also, amend Subsection (8) of Section 2 by deleting "fifteen (15)" and inserting in lieu thereof "five (5)" where same appears at the beginning of line three of said subsection.

Which was adopted.

Yeas 22; Nays 1.

Yeas:

Messrs.:	Folsom	Leonard	Radney	
Albea	Gilmore	Lolley	Skidmore	
Bailes	Givhan	Morrow	Stone	
Childs	Goodwyn	Nabors	Torbert	
Clark	Harris	Oden	Turner	
Cooper	Hawkins	Pierce		—22

Nay: Mr. Lindsey —1

ADJOURNMENT

At 5:57 P.M., on motion of Mr. Cooper, pending further consideration of the Bills, S. B.'s 309 and 82, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Wednesday, June 4, 1969, at 1 o'clock P.M.

EIGHTH LEGISLATIVE DAY

WEDNESDAY, JUNE 4, 1969

The Senate met pursuant to adjournment, President Pro Tempore Goodwyn presiding.

PRAYER

The Session was opened with prayer by the Reverend Austin Moore, Jr., Pastor, Woodley Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	Lolley	Radney	
Branyon	Gilmore	McCarley	Skidmore	
Carr	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jackson	Oden		—34

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Seventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Seventh Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Lolley, leave of absence was granted Mr. Adams for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Leonard:

S. 432. To provide for the appointment of a deputy district attorney for the Twenty-Ninth Judicial Circuit of Alabama, prescribe his powers and duties, fix and provide for payment of his compensation, and regulate his tenure in office.

Committee on Finance and Taxation.

By Mr. Leonard:

S. 433. Relating to the Twenty-ninth Judicial Circuit; creating an additional judgeship for such circuit; providing for the designation of such judgeships by number and for a presiding judge of such circuit; and providing for the election, term, compensation, powers, duties, liabilities and authority of an additional judge for such circuit.

Committee on Judiciary.

By Mr. Vacca:

S. 434. To amend further Section 1 of Act No. 208, S. 34 of the 1966 Special Session, (Acts 1966, p. 256) entitled "An Act To authorize, regulate and provide for the payment by the State of Alabama of compensation to the surviving dependents of certain peace or law enforcement officers and certain firemen who are killed or whose death results from an injury received in the course of his employment and while he is engaged in the performance of his duties; to designate the state board of adjustment as the state agency or awarding authority to hear, determine and order the payment of claims for compensation hereunder; to make an appropriation for payment of awards," so as to include the State Board of Pardons and Paroles and its employees in the definition of "peace officer."

Committee on Finance and Taxation.

By Mr. Givhan:

S. 435. To amend further Code of Alabama 1940, Title 22, Section 215, as amended, which pertains to "LICENSE FEES", so as to further fix the license fees to be paid by any person required to be licensed by the Milk Control Board; providing for a license fee of five dollars for a "Bulk Milk Tank Driver" and a license fee of ten dollars for a "Bulk Milk Tank Hauler"; increasing all one cent per hundred pounds of milk fees to one and one half cents per one hundred pounds of milk; and providing for the abatement of the one and one half cent license fees when the total amount collected equals the budgetary requirements of the Milk Control Board for that fiscal year, plus the sum of forty thousand dollars ($40,000).

Committee on Agriculture.

REPORTS OF COMMITTEES

Mr. Goodwyn, Chairman of the Standing Committee on Judicary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Giles:

S. 177. To amend subsection I of Section 204 of Title 26, Code of Alabama 1940, as last amended, so as to provide for the transfer of unemployment experience to successors of segregable portions of a business upon written application within a prescribed time limit.

By Mr. Giles:

S. 178. To amend Section 9, Title 26 of the 1940 Code Recompiled.

By Mr. Giles:

S 179. To amend Section 247, Title 26, Code of Alabama 1940, as amended, the same pertaining to protection against self-incrimination.

By Mr. Giles:

S. 180. To amend subsection E(1) of Section 240, Title 26, Code of Alabama 1940, as amended, the same pertaining to proceedings to enforce the collection of delinquent unemployment contributions or taxes.

By Mr. Giles:

S. 181. To amend subsection C of Section 240, Title 26, Code of Alabama 1940, as last amended, so as to permit the Director under certain circumstances to issue a corrected assessment.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Vacca and Bailes (with amendment):

S. 206. To amend Code of Alabama 1940, Title 51, Section 15 relating to the exemption of homesteads from state ad valorem taxes, so as to provide additional exemptions for persons over sixty-five years of age.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Turner:

S. 340. To amend further Code of Alabama 1940, Title 24, Section 18, as amended, so as to increase the penalty for obtaining board by fraud or misrepresentation.

By Mr. McDermott:

S. 373. To provide for the supervision, management, development, and control of certain State-owned islands in the waters of Alabama.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Branyon:

S. 409. Relating to counties having a population of not less than 15,500 nor more than 16,300; increasing the salary of the deputy solicitor in such counties.

By Mr. Skidmore:

S. 410. Relating to counties having populations of not less than 100,000 nor more than 115,000; to provide an additional, alternative procedure whereby cities and towns in such counties may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

By Mr. Lolley (with notice and proof):

S. 418. Relating to Pike County; to provide for election of County Commissioners by the qualified electors of the county at large.

By Mr. Jackson:

S. 422. Relating to counties having a population of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census; increasing the salary of the Judge of the Inferior Court for such counties.

By Messrs. Engel and McDermott:

S. 429. To provide that the Governing Body of any City or town in any county in the State of Alabama having a population, according to the last or any future Federal Census, in excess of 300,000 inhabitants and less than 600,000 inhabitants may, by resolution or ordinance, create the position of Assistant City Attorney on a full time basis, and designate the position to be that of the Senior Assistant City Attorney, or Principal Attorney, or other such appropriate title; and may provide by the same resolution or ordinance that any person presently holding such position in the municipal government shall be immediately placed upon the employment roster of any countrywide Civil Service or merit system of such county, without examination and without any decrease in the salary of such person and such position shall thereafter remain under the provisions of any such countrywide Civil Service or merit system.

By Mr. Albea (with notice and proof):

S. 431. To alter, rearrange and extend the boundaries and corporate limits of the Town of Weaver, Calhoun County, Alabama, so as to annex certain territory to the Town.

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Giles:

S. 141. To amend further Section 462, Title 37, Code of Alabama 1940, as amended, relating to the publication and recording of ordinances.

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cooper:

S. 430. Relating to the Fourth Judicial Circuit; providing for an additional circuit court judge in such circuit, and for the designation by number of the associate judgeships in such circuit.

Mr. Oden, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Oden (with substitute):

S. 386. To amend Section 91 of Title 36 of the Code of Alabama of 1940, as amended, which authorizes the director of the highway department to issue special permits for movement of certain oversize vehicles; so as to further provide for fees for issuance of said permits; and to repeal Section 91(1) of Title 36 of the Code of Alabama of 1940, as amended.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Honorable Ralph W. Adams, Sr. to the grade of Brigadier General in the Air National Guard.

On motion of Mr. Clark, said appointment was then confirmed by the Senate.

Yeas 31: Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	O'Bannon
Albea	Engel	Jackson	Pelham
Bailes	Folsom	Leonard	Pierce
Branyon	Giles	Lindsey	Skidmore
Carr	Gilmore	Lolley	Stone
Childs	Givhan	McDermott	Torbert
Clark	Goodwyn	Morrow	Turner
Cooper	Harris	Nabors	Vacca

—31

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Honorable Edwin V. Taylor as Brigadier General of the Line.

On motion of Mr. McDermott, said appointment was then confirmed by the Senate.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Gilmore	Lolley	Skidmore	
Branyon	Givhan	McDermott	Stone	
Carr	Goodwyn	Morrow	Torbert	
Childs	Harris	Nabors	Turner	
Clark	Hawkins	O'Bannon	Vacca	
Cooper	Jackson	Oden		—30

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to wit:

Appointment of General Alfred C. Harrison as The Adjutant General of the State of Alabama.

On motion of Mr. Turner, said appointment was then confirmed by the Senate.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Albea	Folsom	Lolley	Pierce	
Bailes	Giles	McDermott	Skidmore	
Branyon	Givhan	Morrow	Stone	
Carr	Goodwyn	Nabors	Torbert	
Childs	Hawkins	O'Bannon	Turner	
Clark	Jackson	Oden	Vacca	
Cooper	Leonard			—29

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Honorable W. O. Crawford, General Henry V. Graham and Honorable Yetta G. Samford, Jr. as members of the Board of Corrections for the State of Alabama.

On motion of Mr. Torbert, said appointments were then confirmed by the Senate.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Giles	Leonard	Oden	
Albea	Gilmore	Lindsey	Pelham	
Bailes	Givhan	Lolley	Skidmore	
Branyon	Goodwyn	McDermott	Stone	
Childs	Harris	Morrow	Torbert	
Clark	Hawkins	Nabors	Turner	
Cooper	Jackson	O'Bannon	Vacca	
Engel				—28

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Messrs. Richard H. Arrington, Charles C. Miller, Ralph S. Eagle, and J. L. (Lem) Morrison as farmer members, and Messrs. Charles W. Summerour, B. W. Connell and J. C. Barry as industry members of the State Board of Agriculture and Industries.

On motion of Mr. Branyon, said appointments were then confirmed by the Senate.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Oden	
Albea	Giles	Lindsey	Skidmore	
Bailes	Gilmore	Lolley	Stone	
Branyon	Givhan	McDermott	Torbert	
Childs	Goodwyn	Morrow	Turner	
Clark	Harris	Nabors	Vacca	
Cooper	Jackson	O'Bannon		—26

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Honorable Vernon K. Shriner as member of the Gulf States Marine Fisheries Commission.

On motion of Mr. Pierce, said appointment was then confirmed by the Senate.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Cooper	Leonard	Oden	
Albea	Engel	Lindsey	Pierce	
Bailes	Giles	Lolley	Skidmore	
Branyon	Givhan	McDermott	Torbert	
Carr	Goodwyn	Morrow	Turner	
Childs	Harris	Nabors	Vacca	
Clark	Jackson	O'Bannon		—26

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Honorable Walston Hester as member of the Board of Trustees of Auburn University.

On motion of Mr. Oden, said appointment was then confirmed by the Senate.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	O'Bannon	
Albea	Giles	Lindsey	Oden	
Bailes	Gilmore	Lolley	Skidmore	
Branyon	Givhan	McCarley	Stone	
Carr	Goodwyn	McDermott	Torbert	
Childs	Hawkins	Morrow	Turner	
Clark	Jackson	Nabors	Vacca	
Cooper				—28

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Honorable Jesse Culp as member of the Board of Trustees of Auburn University.

On motion of Mr. Carr, said appointment was then confirmed by the Senate.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Oden	
Albea	Giles	Lindsey	Pierce	
Bailes	Gilmore	Lolley	Skidmore	
Branyon	Givhan	McCarley	Stone	
Carr	Goodwyn	McDermott	Torbert	
Childs	Harris	Morrow	Turner	
Clark	Hawkins	Nabors	Vacca	
Cooper	Jackson	O'Bannon		—30

Nays: —0

Mr. Clark, Chairman of the Standing Committee or Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Honorable A. W. "Butch" Avinger as State Superintendent of Banks.

On motion of Mr. Hawkins, said appointment was then confirmed by the Senate.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Giles	Leonard	O'Bannon
Albea	Gilmore	Lindsey	Pierce
Bailes	Givhan	Lolley	Skidmore
Branyon	Goodwyn	McCarley	Stone
Childs	Harris	McDermott	Torbert
Clark	Hawkins	Morrow	Turner
Cooper	Jackson	Nabors	Vacca
Engel			

—28

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Honorable Houston H. Feaster as Director of the State Docks.

On motion of Mr. Engel, said appointment was then confirmed by the Senate.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Giles	Leonard	O'Bannon
Albea	Gilmore	Lindsey	Oden
Bailes	Givhan	Lolley	Skidmore
Branyon	Goodwyn	McCarley	Stone
Carr	Harris	McDermott	Torbert
Clark	Hawkins	Morrow	Turner
Cooper	Jackson	Nabors	Vacca
Engel			

—28

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Congressman Bill Nichols as member of the Board of Trustees of Auburn University.

On motion of Mr. Leonard, said appointment was then confirmed by the Senate.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Cooper	Hawkins	Pierce
Albea	Folsom	Leonard	Radney
Bailes	Giles	Lolley	Skidmore
Branyon	Gilmore	McDermott	Stone
Carr	Givhan	Morrow	Torbert
Childs	Goodwyn	Nabors	Turner
Clark	Harris	Oden	Vacca

—27

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Department of Archives and History and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Messrs. C. J. Coley, Rucker Agee, Walter Will Bankhead, George Bliss Jones, James B. Striplin, and Robert B. Harwood as members of the Board of Trustees of the Archives and History Department.

On motion of Mr. Pierce, said appointments were then confirmed by the Senate.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Oden
Albea	Folsom	Leonard	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

—31

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 21. Relative to permanent employees of the Legislature and their status under the Employees' Retirement System of Alabama.

On motion of Mr. Engel, said Resolution was then concurred in and adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 22. Relative to the status on the reemployment register of the State Personnel Board of certain legislative employees.

On motion of Mr. Engel, said Resolution was then concurred in and adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. R. 7. Relative to re-election of members of the Legislative Committee on Public Accounts, the Building Commission and the Legislative Council.

On motion of Mr Turner, said Resolution was then adopted by the Senate.

RESOLUTIONS

Mr. Turner offered the following Senate Joint Resolution, to-wit:

S. J. R. 22. WHEREAS, the Ninety-ninth Anniversary of the Annual Masonic Day Celebration will be held in Florala, Alabama, on June 24, 1969, which is Saint John's Day; and

WHEREAS, this commemorative exercise was instituted in 1870 by St. Chapel Masonic Lodge No. 377 at Chapel Hill, which Lodge was in 1873 named Lake City Lodge No. 377, and thereafter in 1912 consolidated with Fidelity Lodge F. & A. M. No. 685 at Florala. The celebration has been remarkably successful over the years in attracting outstanding statesmen and patriots as speakers and participants. Many dignitaries of the Masonic Order have likewise joined in these events, which have meant so much to the Masons and to the people; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we warmly commend the fine organizations that are responsible for arranging these gala and festive occasions, and we join in welcoming to the forthcoming Annual Celebration the throng who will be afforded an opportunity to participate in this delightful and entertaining event.

RESOLVED FURTHER, That copies of this Resolution shall be sent to the Secretary of Fidelity Lodge F. & A. M. No. 685 at Florala, to the Grand Lodge F. & A. M., Montgomery, Alabama, and to the publishers of the Florala News.

On motion of Mr. Turner, the Rules were suspended and the Resolution was adopted by the Senate.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, the first item of which was the Bill:

S. 309. To provide for organizing industrial development corporations; provide for definitions; provide the purpose of such corporations; provide that such corporations may be organized under the general laws of Alabama, subject to certain limitations; provide that such corporations may borrow money from members and issue securities and evidences of indebtedness and secure same; provide said corporations may make loans, may acquire the good will, business and assets of persons, firms, and corporations and may acquire real estate and use the same for the purposes of the corporation; provide that corporations organized under the laws of Alabama or transacting business in Alabama are authorized to purchase, hold, and dispose of the securities of industrial development corporations; provide that financial institutions are authorized to become members and make loans to such corporations, subject to certain limitations; provide that financial institutions are authorized to acquire the securities and stock of such corporations; provide such corporations shall set aside a portion of earned surplus from year to year as a reserve fund; provide for selecting depositories for funds of such corporations; provide such corporations shall be subject to examination by a certified public accountant and shall file reports with the Secretary of State; provide for the management of such corporations by a board of directors, a president and officers; provide for the dissolution of such corporations; provide that such corporations shall be state development companies as defined

in the Small Business Act of 1958; provide for the payment of annual occupational license tax; provide an effective date.

as amended by the amendment reported by the Standing Committee on Banking, which said amendment is set out at length in the Journal of the Senate for the Seventh Legislative Day.

On motion of Mr. Stone, the Bill, S. B. 309, as amended, was read a third time at length.

Mr. Harris moved that the Senate reconsider the vote by which the Bill, S. B. 309, as amended, was ordered to its third reading, and the Senate did reconsider said vote.

Mr. Harris then offered the following amendment to the Bill, S. B. 309, as amended, to-wit:

AMENDMENT TO S. B. 309, AS AMENDED

Amend Section 2 (3) by deleting the period at the end thereof and adding the following:

"; provided however that nothing contained in this Act shall permit a corporation organized pursuant to the authority of this Act to engage in a banking or trust company business except to the extent that such activity may be necessary or appropriate to participate in any program authorized or permitted under the terms of the Small Business Investment Act of 1958, Public Law 85–699, 85th Congress, or any other similar federal legislation."

Which was adopted.

Yeas 30; Nays 1.

Yeas:

Messrs.:	Engel	Lolley	Pierce	
Albea	Giles	McCarley	Radney	
Bailes	Gilmore	McDermott	Skidmore	
Branyon	Givhan	Morrow	Stone	
Childs	Goodwyn	Nabors	Torbert	
Clark	Harris	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Leonard	Pelham		—30

Nay: Mr. Lindsey —1

And said Bill, SB 309, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 28; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Albea	Folsom	Lolley	Pierce	
Bailes	Giles	McDermott	Radney	
Branyon	Givhan	Morrow	Stone	
Childs	Goodwyn	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Leonard	Oden	Vacca	
Dominick				—28

Nays: —0

The Bill:

S. 275. Proposing an amendment to the Constitution of Alabama relative to a special district ad valorem tax for public school purposes in each school district of Calhoun county except the school district comprising the City of Anniston.

was taken up.

Mr. Albea offered the following amendment to the Bill, SB 275, to-wit:

AMENDMENT TO S. B. 275

Amend Senate Bill 275 by adding at the end and as a part of the last paragraph of Section 1 thereof the following:

Nothing in this amendment shall be deemed to prevent the consolidation of any two or more school districts in Calhoun County in accordance with the applicable provisions of general law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	McCarley	Radney	
Albea	Folsom	McDermott	Skidmore	
Carr	Giles	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lolley			—25

Nays: —0

And said Bill, SB 275, as thus amended, was then read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	McCarley	Radney	
Albea	Folsom	McDermott	Skidmore	
Carr	Giles	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lolley			—25

Nays: —0

UNFINISHED BUSINESS

The Senate then proceeded to consideration of the second item of Unfinished Business for today, which was the Bill:

S. 82. To be known as the Alabama Consumer Credit Code, relating to certain consumer and other credit transactions and constituting the uniform consumer credit code; consolidating and revising certain aspects of the

law relating to consumer and other loans, consumer and other sales of goods, services and interests in land, and consumer leases; revising the law relating to usury; regulating certain practices relating to insurance in consumer credit transactions; providing for administrative regulation of certain consumer credit transactions; making uniform the law with respect thereto; and repealing inconsistent legislation, including the following laws and parts of law:

Code of Alabama 1940: Title 9, § § 61, 65, and 66; Title 28, § 296; and Title 51, § 495 as amended by Act No. 680, General Acts of Alabama, Regular Session (1953); and Act No. 374 General Acts of Alabama, Regular Session 1959, known as the Alabama Small Loan Act; and to amend the following laws:

Code of Alabama 1940: Title 9, § 60; and Title 5, § 120.

and pending amendment, which said amendment is set out at length in the Journal of the Senate for the Seventh Legislative Day.

Mr. Nabors moved that further consideration of the Bill, SB 82, and pending amendment, be postponed until the next Legislative Day, and further moved that his motion to postpone be laid on the table, which resulted in a tie vote.

Yeas 14; Nays 14.

Yeas:

Messrs.:	Goodwyn	Morrow	Stone	
Clark	Harris	Nabors	Torbert	
Engel	Jackson	O'Bannon	Turner	
Giles	McDermott	Pierce		—14

Nays:

Messrs.:	Dominick	Leonard	Oden	
Albea	Folsom	Lindsey	Pelham	
Bailes	Gilmore	Lolley	Vacca	
Childs	Hawkins	McCarley		—14

And therefore, the motion to table was lost.

Mr. McCarley offered as a substitute motion that further consideration of the Bill, SB 82, and pending amendment, be postponed until the Twentieth Legislative Day. On motion of Mr. Turner, the motion to postpone was laid on the table.

Yeas 21; Nays 8.

Yeas:

Messrs.:	Giles	Lolley	Pierce	
Bailes	Gilmore	McDermott	Stone	
Branyon	Goodwyn	Morrow	Torbert	
Childs	Harris	O'Bannon	Turner	
Clark	Jackson	Oden	Vacca	
Engel	Lindsey			—21

Nays:

Messrs.:	Folsom	Leonard	Nabors	
Albea	Hawkins	McCarley	Pelham	
Dominick				—8

Mr. Albea offered as a substitute motion that further consideration of the Bill, SB 82, and pending amendment, be postponed for two legislative days.

ADJOURNMENT

At 4:10 P.M., on motion of Mr. Turner, pending further consideration of the Bill, SB 82, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, June 10, 1969, at 2 o'clock P.M.

NINTH LEGISLATIVE DAY

TUESDAY, JUNE 10, 1969

The Senate met pursuant to adjournment, President Pro Tempore Goodwyn presiding.

PRAYER

The Session was opened with prayer by the Reverend Steve Franklin, Samford University student, working in youth evangelism.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

—35

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Eighth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Eighth Legislative Day was approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. O'Bannon:

S. 436. To provide for the supplemental compensation of the Circuit Judges of the 31st Judicial Circuit, and providing that the supplemental compensation herein provided, shall be in lieu of any and all other salary supplements heretofore authorized.

Committee on Local Legislation No. 1.

By Mr. Nabors:

S. 437. To amend further Section 21 of Title 11, Code of Alabama (1940) which relates to fees allowed Clerks of Circuit Courts.

Committee on Judiciary.

By Mr. McCarley:

S. 438. To regulate further the business of certain public utilities, gas districts, power districts, electric membership corporations, electric co-operatives, municipal electric utility boards and district electric corporations.

Committee on Judiciary.

By Messrs. Lindsey, Cooper, Radney, Givhan, Branyon and Oden:

S. 439. To create a state forestry commission; to provide for the appointment of the commission members and to specify their authority and duties; to provide for the appointment of a state forester and assistant state forester and to specify their authority and duties; to provide for the transfer of all monies, records, and physical properties, both real and personal, of the Forestry Division of the Department of Conservation to the Alabama Forestry Commission; to provide for the staff and personnel of the Forestry Commission; to provide for the jurisdiction and the authority for the commision over state forests and other lands; to provide for the compensation and expenses of the commission members and the state forester and assistant state forester; to provide the rule-making power of the commission; to provide for a fund to be known as the Alabama Forestry Commission Fund; and repeal all laws or parts of laws in conflict with the provision of this Act.

Committee on Forestry and Conservation.

By Messrs. Givhan, Branyon, Adams and Folsom:

S. 440. To regulate the sale and distribution of commercial fertilizers, fertilizer materials and other substances; requiring a license and permit for the sale thereof, prescribing the fee therefor, requiring labeling information; to levy an inspection fee upon the sale and distribution of fertilizers; prescribing the powers, duties and authority of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries for the administration and enforcement of this act; providing for the assessment and payment of penalties for fertilizers deficient in claimed plant food value; author-

izing the State Board of Agriculture and Industries to fix minimum plant food content, grades and ratios for fertilizers and to adopt rules and regulations for the administration and enforcement of this Act; other administrative and enforcement provisions including a penalty for violations of this Act; to repeal Article 16 of Chapter 1 of Title 2, Code of Alabama 1940, as amended; also, to repeal Act No. 365, Legislature of 1947, approved August 16, 1947.

Committee on Agriculture.

By Mr. Dominick:

S. 441. To amend Act No. 310 adopted at the 1967 Regular Session of the Legislature of Alabama, to provide that members of the Board of Directors of the Mental Health Authority need not be residents of the municipality which appoints them, but need only be residents of the area served by the Mental Health Authority.

Committee on Public Health.

By Mr. Givhan:

S. 442. Relating to counties having a population of not less than 16,500 nor more than 17,500; providing for direct distribution to municipalities of their proportionate share of gasoline tax proceeds allocated for municipalities in such counties.

Committee on Local Legislation No. 1.

By Mr. Dominick:

S. 443. To amend section 3 of Act No. 584, H. 795, Regular Session 1963, an act authorizing and providing for establishment of regional advisory planning commissions (Acts 1963, v. 2, p. 1278).

Committee on Judiciary.

By Mr. Turner:

S. 444. Relating to credit unions: Amending Code of Alabama 1940, Title 28, Sections 291, 297, and 298, so as to provide for loan officers of credit committees, reserve funds and dividends of credit unions.

Committee on Banking.

By Messrs. Goodwyn, Oden, Gilmore, Torbert, Cooper, Giles, Engel, Pierce, Turner and Clark:

S. 445. To amend paragraphs (1) and (3) of subsection C of Section 279 and Sections 289, 293 and 299, all being of Title 26, Code of Alabama 1940, as last amended, pertaining to the Workmen's Compensation Law.

Committee on Judiciary.

By Messrs. Goodwyn, Oden, Gilmore, Torbert, Cooper, Giles, Engel, Pierce, Turner and Clark:

S. 446. To amend Sections 202, 203, Paragraph 1 of subsection A, and Paragraphs 3 and 4 of Subsection B, and Subsection F, and Subsection G and Subsection H, (all said paragraphs and subsections being in Section 204,) Section 207, Paragraph 1 of Subsection D and Paragraph 1 of Subsection L of Section 214, Title 26, Code of Alabama 1940, as amended, all relating to unemployment compensation.

Committee on Judiciary.

By Messrs. Lolley, Lindsey and Givhan:

S. 447. To prevent the unnecessary duplication of electric lines and electric service in areas outside of the corporate boundaries of municipalities in the State of Alabama, to authorize the assignment by the Alabama Public Service Commission of areas to be served by electric suppliers, to provide for the filing of certain rates and schedules of electric suppliers with Alabama Public Service Commission and to provide the procedure therefor and appeals from the orders of said Commission.

Committee on Judiciary.

By Mr. Clark:

S. 448. To alter, rearrange and extend the boundaries of the Town of Blue Springs, so as to include within the corporate limits thereof certain additional territory in portions of Sections 14, 15, 22, and 23, Township 8 North, Range 25 East, Barbour County, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
BARBOUR COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the Town of Blue Springs, so as to include within the corporate limits thereof certain additional territory in portions of Sections 14, 15, 22, and 23, Township 8 North, Range 25 East, Barbour County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the Town of Blue Springs, in Barbour County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said town certain additional territory lying within the following described boundaries, to-wit:

Commence at the Northwest corner of the existing North and West boundaries of the corporate limits of the Town of Blue Springs, and thence run due West along the quarter section lines to the Northwest corner of the Southeast Quarter of the Northeast Quarter, Section 15, Township 8 North, Range 25 East; thence run due South along the quarter section lines for a distance of 7920 feet, more or less, to the Southwest corner of the Northeast Quarter of Southeast Quarter, Section 22, Township 8 North, Range 25 East; thence run due East along the quarter section lines to the Southwest Corner of the existing South and West boundaries of the corporate limits of the Town of Blue Springs; and thence run in a Northerly direction along the existing Western boundary of the corporate limits of the Town of Blue Springs for a distance of 7920 feet, more or less, to the point of beginning.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Bertie G. Parish, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the The Clayton Record, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 17, April 24, May 1, and May 8, all in the year 1969.

MRS. BERTIE G. PARISH.

Sworn to and subscribed before me June 5, 1969.

MILTON CAMPBELL,
Notary Public.

By Mr. Clark:

S. 449. To alter, rearrange and extend the boundaries of the Town of Blue Springs, so as to include within the corporate limits thereof certain additional territory in portions of Section 13, 14, 23, and 24, Township 8 North, Range 25 East, Barbour County, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
BARBOUR COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the Town of Blue Springs, so as to include within the corporate limits thereof certain additional territory in portions of Section 13, 14, 23, and 24, Township 8 North, Range 25 East, Barbour County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the Town of Blue Springs, in Barbour County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said town certain additional territory lying within the following described boundaries, to-wit:

Commence at the Northwest corner of the Southeast Quarter of Northeast Quarter, Section 14, Township 8 North, Range 25 East and thence run due East along the quarter section lines for a distance of 6600 feet to the Northeast corner of the Southeast Quarter of Northeast Quarter, Section 13, Township 8 North, Range 25 East; thence run due South along the Eastern boundary of Range 25 a distance of 7920 feet to the Southeast corner of the Northeast Quarter of Southeast Quarter, Section

24, Township 8 North, Range 25 East; thence run due West along the quarter section lines for a distance of 6600 feet to the Southwest corner of the Northeast Quarter of the Southeast Quarter, Section 23, Township 8 North, Range 25 East; and thence run due North along the quarter section lines for a distance of 7920 feet to the point of beginning, being the Northwest corner of the Southeast Quarter of Northeast Quarter, Section 14, Township 8 North, Range 25 East.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Bertie G. Parish, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the The Clayton Record, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 17, April 24, May 1, and May 8, all in the year 1969.

MRS. BERTIE G. PARISH.

Sworn to and subscribed before me June 5, 1969.

MILTON CAMPBELL,
Notary Public.

By Mr. Engel:

S. 450. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Mobile County under certain conditions to issue its general obligation bonds not exceeding $3,000,000 in principal amount for certain public buildings in the said county, to be additionally secured by a pledge of the special ad valorem tax provided for in Amendment XVIII to the said constitution, as amended, providing that none of the said bonds shall be chargeable against the limitation on the indebtedness of the said county contained in Section 224 of the said constitution, and specifying certain details pertaining to the said bonds and the sale thereof.

Committee on Local Legislation No. 1.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Engel:

S. 451. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Moible County and making a change in the purposes for which may be levied and distributed the special tax authorized by the amendment to the Constitution of Alabama known as Amendment XVIII as heretofore amended.

Committee on Local Legislation No. 1.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Jackson:

S. 452. Relating to counties having a population of not less than 32,200 nor more than 35,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act.

Committee on Local Legislation No. 1.

By Messrs. Folsom, Oden, Lolley, Vacca, Cooper, Givhan and Clark:

S. 453. To provide for the repair/or lease of heavy duty off-highway construction equipment including machinery used for grading, drainage, road construction and compaction for exclusive use of county and municipal, highway, street and sanitation departments by the county boards of revenue or other similar county governing bodies, the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, relative to exemption from competitive bidding in the expenditure of public funds.

Committee on Finance and Taxation.

By Mr. Vacca:

S. 454. To amend Section 1 of Act No. 193, H. 182, 1963 Regular Session, p. 582, so as to provide for amount of license payable by motor vehicle operators.

Committee on Finance and Taxation.

By Mr. Vacca:

S. 455. To require riders and passengers on motorcycles, motor-driven cycles or motorscooters to wear goggles, a face screen or to be protected by a windscreen attached to the vehicle, and to provide for approval of such devices, to restrict sales in Alabama to approved devices, and to provide a penalty for violation of this Act.

Committee on Public Roads and Highways.

By Mr. Vacca:

S. 456. To provide for a driver license, a chauffeur license, a motorcycle license, and to prescribe the manner of test therefor, and to authorize the Director of Public Safety to issue said licenses.

Committee on Finance and Taxation.

By Mr. Adams:

S. 457. To amend Section 6 of Act No. 217, H. 275, approved August 1, 1961, (Acts of Legislature, Regular Session of 1961, Volume 1, pp. 244, et seq.), An Act "To provide for and prescribe the form of government of all cities having populations of not less than 30,000 nor more than 31,500."

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, viz.:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 6 of Act No. 217, H. 275, approved August 1, 1961, (Acts of Legislature, Regular Session of 1961, Volume 1, pp. 244, et seq.), An Act "To provide for and prescribe the form of government of all cities having populations of not less than 30,000 nor more than 31,500."

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 6 of Act No. 217, H. 275, approved August 1, 1961, (Acts of Legislature of Alabama, Regular Session of 1961, Vol. 1, pp. 244, et seq.) be amended to read as follows:

"Section 6. Effective on the first Monday in October, 1969, the Mayor in cities within the scope of this act shall receive an annual salary of $7,200.00 and each associate commissioner shall receive an annual salary of $4,800.00. In addition, all reasonable expenses incurred by such Mayor and associate commissioners in the performance of their duties as such Mayor and associate commissioners shall be paid by the city. All such salaries shall be payable by the city in equal monthly installments and at the same rate for every fraction of a year which the commissioners serve. The payment of all funds out of the treasury shall be by warrants signed by the City Clerk and countersigned by the Mayor, provided that during the absence of the Mayor from the corporate limits of the city, and necessity therefor arising, warrants may be countersigned by one of the associate commissioners designated by the Mayor to act in his stead."

Section 2. This act shall become effective October 1, 1969.

May 8, 15, 22, 29, 1969

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, May 8, 15, 22, 29, 1969 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 6th day of June, 1969.

EUGENE McCLINTIC,
Notary Public.

By Messrs. Hawkins, Bailes and Morrow:

S. 458. To provide that all state funds appropriated for the use of state junior colleges, except appropriations for capital outlay purposes, shall be allocated on the basis of the average daily attendance of students in such junior colleges.

Committee on Finance and Taxation.

By Mr. Torbert:

S. 459. To provide for assistance to the Governor and the Legislature in promoting economy, efficiency and improved service in the transaction of the State's business; and in making the state government more directly responsive to the wishes of the people; to create the State Commission on Reorganization and Efficiency; to prescribe its powers, duties and authority and the duration of its existence; and to make an appropriation therefor.

Committee on Finance and Taxation.

By Messrs. Torbert and Pierce:

S. 460. To amend Sections 499, 501 and 502 of Chapter 1 of Title 2 of the Code of Alabama of 1940; and to repeal Sections 498 and 500 of Chapter 1 of Title 2 of the Code of Alabama of 1940, all of which relate to chemical laboratory analyses of substances, products and materials by the Department of Agriculture and Industries.

Committee on Agriculture.

By Mr. Torbert:

S. 461. To provide for the indemnification by all corporations of corporate directors, officers, employees and agents against expenses, judgments, fines and settlements in certain cases; and to that end to authorize any corporation to purchase and maintain insurance on behalf of such persons to indemnify them against liability in certain cases; and to provide that this act shall be supplemental to and not in derogation of any other rights of indemnification.

Committee on Judiciary.

By Mr. McCarley:

S. 462. To amend Act No. 374, H. 102 of the Regular Session 1959 (Acts, Regular Session 1959, p. 966), "The Alabama Small Loan Act," amending Section 14 of such Act in order to regulate further the rate of interest that may be charged on loans.

Committee on Banking.

By Mr. Turner:

S. 463. To authorize county governing bodies to expend county funds to purchase, erect and maintain flagpoles and flags for display on courthouse premises.

Committee on Public Buildings and Grounds.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Ellis, Bowers, Meeks, Waggoner, Holman, Kilgore, Weeks, Cook (Jefferson), Watkins, House, Jackson (T), Money, Sessions, Dill, Cherner, Gafford and Gloor:

H. J. R. 29. WHEREAS Newman M. Yielding, affectionately known throughout the state as "Red" will receive the honorary degree of Doctor of Laws from Birmingham Southern College, a school which he has served faithfully for many years, on Saturday, May 31, 1969; and

WHEREAS Newman "Red" Yielding has established himself as one of the south's leading college administrators, successfully guiding and directing the financial and educational affairs of Birmingham Southern College during an era in which it became one of the leading Liberal Arts Colleges in the Southeast; and

WHEREAS Newman "Red" Yielding has, during his distinguished career in the field of education, and during his term as acting President of Birmingham Southern College earned the admiration and respect of educators throughout the entire United States; and

WHEREAS the dedication and devotion of Mr. Yielding and his family to the religious and civic affairs of their community has long been a matter of great pride among those who have known and witnessed their unceasing efforts in this regard, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the members of this body are privileged to pay tribute to our colleague Newman "Red" Yielding on the occasion of his receiving this most outstanding and well deserved degree.

BE IT RESOLVED FURTHER, That an enrolled copy of this resolution be sent to the President of Birmingham Southern.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Morrow, the Rules were suspended and the Resolution, H. J. R. 29, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Grainger, Fite, Agee, Bank, Bassett, Berryman (R), Blanton, Bowers, Brannan, Brassell, Brown, Burgess, Cameron, Cherner, Collier, Collins (C), Collins (W), Cook (Coffee), Cook (Jefferson), Crawford, Culver, Dill, Dobbs, Doss, Downing, Drake, Edington, Ellis, Fine, Foshee, Gafford, Garrett, Gloor, Graham, Grayson, Hain, Harper, Harris, Headley, Higginbotham, Hill, Hobbie, Holladay, Holman, Jackson (F), Jackson (T), Jones, Kilgore, Laxson, Lemley, Lybrand, Lyons, Malone, Manley, Marr, Mathews, Mays, McCorquodale, McDonald, McElhaney, McLain, Meeks, Merrill, Money, Nettles, Neville, Owen (Baldwin), Owens (W), Paulk, Pearson, Pennington, Pruitt, Robertson, Sessions, Shumate, Smith, Snell, Springer, Starnes, Steagall, Stembridge, Stubbs, Tuck, Turnham, Waggoner, Watkins, Weeks, Williams, Wright, Yeilding, and Young:

H. J. R. 28. WHEREAS The Honorable John David Snodgrass, Judge of the Twenty-Third Judicial Circuit and former member of this body,

has recently received the 1969 Good Government Award of the Huntsville Junior Chamber of Commerce; and

WHEREAS Judge Snodgrass justly deserves this recognition. His ability, diligence and devotion to the court have inspired the members of bench and bar. He is usually the first official in the courthouse at his desk in the morning, and is often the only official in the courthouse working at night. He is a living example of the maxim that there is no substitute for hard work; and

WHEREAS at thirty one years of age, Judge Snodgrass is the youngest circuit court judge in the state. His performance as a judge has proved that age is no requirement for competence on the bench. He displays a knowledge of the law and a judicial temperament surpassed by few of his older colleagues; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we salute Judge Snodgrass for his attainment and warmly commend him for his achievements and receipt of this great honor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Giles, the Rules were suspended and the Resolution, H. J. R. 28, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Graham and Lyons:

H. J. R. 26. WHEREAS the Honorable Lister Hill, who has represented Alabama with such distinction for so many years, has retired and returned to Alabama; and

WHEREAS the unusually long list of honors, citations and recognitions accorded the Honorable Lister Hill by great universities, institutions and organizations of national and world-wide importance are proof of his greatness; and

WHEREAS Alabama is justly proud of this statesman whose many accomplishments mark the dedication, integrity and independence which are his outstanding characteristics; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That an invitation is hereby cordially extended to the Honorable Lister Hill to speak to a joint meeting of the two Houses in June, 1969, on a day and hour to be determined by Senator Hill, the Speaker of the House, and the President of the Senate.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pierce, the Rules were suspended and the Resolution, H. J. R. 26, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Nettles, Collins (C), Lyons, Downing, Edington, Marr, Wood, Grayson, and Collins (W):

H. J. R. 25. WHEREAS Robert Joseph Protivinsky of Dauphin Island, at the risk of his own life, daringly rescued five persons who were being swept out to sea by a squall off the island; and

WHEREAS Robert Joseph Protivinsky, eighteen years of age and a graduating senior at Alba High School, exemplifies the outstanding character, determination and bravery still found in the youth of today; and

WHEREAS Robert Joseph Protivinsky showed nimbleness of mind as well as that of body by thinking fast and moving fast, and fortunately for those concerned, was ingenious and resourceful in the manner of the rescue; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That we commend Robert Joseph Protivinsky for his gallantry, courage and keenness of mind, and express our pride that one of our youth has shown himself to have those qualities in abundance and stands as an example to the young people of this nation and this state.

BE IT RESOLVED FURTHER, That an enrolled copy of this resolution be sent to Robert Joseph Protivinsky and to the principal of Alba High School.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Jackson, the Rules were suspended and the Resolution, H. J. R. 25, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Turnham, Fite, Agee, Bank, Bassett, Berryman (R), Bowers, Brannan, Brassell, Burgess, Cameron, Cherner, Collier, Collins (C), Collins (W), Cook (Coffee), Cook (Jefferson), Crawford, Dill, Dobbs, Doss, Downing, Drake, Edington, Ellis, Fine, Foshee, Gafford, Garrett, Gloor, Graham, Grainger, Grayson, Hain, Harper, Harris, Headley, Higginbotham, Hill, Hobbie, Holladay, Holman, House,

Jackson (F), Jackson (T), Jones, Kilgore, Laxson, Lemley, Lybrand, Lyons, Malone, Manley, Marr, Mathews, McCorquodale, McDonald, McElhaney, McLain, Meeks, Melton, Merrill, Money, Nettles, Neville, Owens (W), Paulk, Pearson, Pennington, Perloff, Pruitt, Robertson, Sessions, Snell, Springer, Starnes, Steagall, Stembridge, Stubbs, Tuck, Waggoner, Watkins, Weeks, Williams, Wood, Yeilding, Young, Culver, and Smith:

H. J. R. 27. WHEREAS the successful launching, flight, and recovery of Apollo 10 has firmly established the leadership of the United States in the international competition for the conquest of space; and

WHEREAS this achievement has provided necessary experience and information which places this country on the threshold of a Lunar Landing; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature hereby commends Colonel Thomas P. Stafford, Commander John W. Young and Commander Eugene A. Cernan for their bravery, dedication and skill in successfully completing a dangerous and difficult mission, and we also commend and express our appreciation to Dr. Thomas O. Paine, administrator of the National Aeronautics and Space Administration, for the outstanding contribution his crews and staff have made to the credit and international prestige of the people of the United States; now therefore

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Dr. Paine, Colonel Stafford, Commander Young and Commander Cernan.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. O'Bannon, the Rules were suspended and the Resolution, H. J. R. 27, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 14. Relative to the retirement of Mrs. Walter Bragg (Lillian) Smith, R.N., as the Executive Director of the Alabama State Nurses Association.

Also:

S. J. R. 15. Relative to flag for Etowah County.

Also:

S. J R. 13. Relative to 50th Anniversary Celebration of the League of Women Voters of the United States.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bank, Culver, Robertson and Brown:

H. J. R. 35. WHEREAS Mr. Charles Davis, Sr., an outstanding businessman and civic leader of Tuscaloosa who for many years contributed immeasurably to the growth and development of Tuscaloosa County and the City of Tuscaloosa has recently died, now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That we mourn the passing of this outstanding citizen of our State and hereby extend our sincere sympathy to the surviving members of his family.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, HJR 35, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Collins (C), Grayson, Lyons, Perloff, Marr, Collins (W), Downing, Wood, Nettles and Edington:

H. J. R. 33. WHEREAS, Frank C. Drane passed away on Wednesday, May 28, 1969; and

WHEREAS, He was the first and only manager of the Hotel Admiral Semmes in Mobile, serving conventions of all types both large and small; and

WHEREAS, After twenty years of serving in hotels in the South, including the Peabody Hotel in Memphis and the Thomas Jefferson Hotel in Birmingham, he was named Public Relations Manager of the National Hotel Company in Galveston, and at the time of his death he was serving this organization as a Vice President; and

WHEREAS, Mr. Drane has been past President of the Alabama Hotel Association, past President of the Mobile Innkeepers Association, Director for many years on the Board of the American Hotel Association, was a member of the Board of Directors of the Mobile Area Chamber of Commerce, and other civic activities.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they do hereby extend sympathy to the family of Frank C. Drane and join with his many friends in mourning his death.

It is further resolved that a copy of this resolution be spread upon the minutes of the Journal and that a copy be sent to the members of the family.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Morrow, the Rules were suspended and the Resolution, HJR 33, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bank, Robertson, Culver and Brown:

H. J. R. 34. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body notes with profound regret the recent death of Mr. Claude Taylor, Jr., a highly esteemed citizen of Tuscaloosa, an outstanding golfer and athlete whose high sense of fair play was evident not only in his athletic competitions but in all his many civic, business and social dealings with his fellowman. The two houses of the Legislature unite in honoring Mr. Taylor and extending sympathy to his family.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, HJR 34, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Springer, Fite, Adwell, Bassett, Berryman (R), Berryman (W), Blanton, Bolton, Bowers, Brannan, Brassell, Brown, Burgreen, Cameron, Cherner, Collier, Collins (C), Cook (Jefferson), Crane, Dill, Dobbs, Downing, Drake, Edington, Ellis, Fine, Foshee, Gafford, Garrett, Gloor, Graham, Grainger, Grayson, Hain, Hardin, Harper, Harris, Haygood, Headley, Higginbotham, Hill, Hobbie, Holman, House, Jackson (F), Jones, Kilgore, Laxson, Lemley, Lybrand, Lyons, Malone, Manley, Mays, McCorquodale, McElhaney, McLain, Meeks, Melton, Merrill, Money, Nettles, Neville, Owens (W), Pearson, Pennington, Perloff, Robertson, Sessions, Shumate, Smith, Starnes, Steagall, Stembridge, Stubbs, Tuck, Turnham, Waggoner, Weeks, Williams, Wood, Wright, Yeilding and Young:

H. J. R. 20. RESOLVED BY THIS LEGISLATURE:

WHEREAS, the year 1969 marks the beginning of the 50th Anniversary Celebration of the League of Women Voters of the United States; and

WHEREAS, the League of Women Voters, which was founded in 1920 primarily to help 20 million women voters to carry out their new responsibilities, has in fact assisted men and women voters alike, and

WHEREAS, the League of Women Voters has provided nonpartisan information on candidates and ballot issues prior to elections, encouraged registration and informed voting and help generations of women understand the structure and function of government; and

WHEREAS, the League of Women Voters of Alabama was established in 1951 to this same end; and

WHEREAS, the League of Women Voters, while nonpartisan in relation to candidates and political parties, has studied and acted upon many issues of government in the public interest; and

WHEREAS, the League of Women Voters of Alabama has strengthened State government in Alabama through its work on such issues as election law reforms, water pollution control, and additional revenue for education;

BE IT RESOLVED, That the members of this Legislature unite in congratulating the League of Women Voters upon the 50th Anniversary of its founding and in commending the League for its long record of public service.

BE IT FURTHER RESOLVED, That the Clerks of the House and Senate cause a copy of this resolution to be sent to the League of Women Voters of Alabama and to the League of Woman Voters of the United States as a sincere expression of the high esteem in which it is held.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pierce, the Rules were suspended and the Resolution, HJR 20, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Wood:

H. J. R. 23. A RESOLUTION TO THE CONGRESS OF THE UNITED STATES, THE ALABAMA CONGRESSIONAL DELEGATION, THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE OF THE UNITED STATES SENATE AND THE COMMITTEE OF INTERSTATE AND FOREIGN COMMERCE OF THE UNITED STATES HOUSE OF REPRESENTATIVES REQUESTING THAT AN INVESTIGATION BE MADE INTO THE MANNER IN WHICH THE INTERSTATE COMMERCE COMMISSION IS ALLOWING PASSENGER TRAIN SERVICE IN THE UNITED STATES TO BE SLAUGHTERED THROUGH SECTION 13a OF THE TRANSPORTATION ACT OF 1958.

WHEREAS, for many years the authority to discontinue passenger trains was left to the various state commissions having jurisdiction over same; and

WHEREAS, it was necessary for rail carriers to prove that by rights of convenience and necessity that discontinuing passenger service would not adversely affect the public and was a burden on interstate commerce to continue same; and

WHEREAS, with the passage of the amendment to the Transportation Act of 1958 gave the Interstate Commerce Commission authority and jurisdiction over applications filed under Section 13a of the Transportation Act; and

WHEREAS, many rail carriers have availed themselves of the opportunity, through Section 13a of the Transportation Act, to deprive the public of rail transportation by the removal of passenger trains and degrading their services and equipment so as to inconvenience the public.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING THEREIN:

That the Legislative Assembly of the State of Alabama request the Congress of the United States to initiate a Congressional investigation into the manner in which the Interstate Commerce Commission has allowed the mass slaughter of passenger trains; and

BE IT FURTHER RESOLVED, that the Congress of the United States be requested to declare a moratorium on all passenger train discontinuances until the investigation is complete and Congress determines what manner of authority will be required from the Interstate Commerce Commission to discontinue inter-city passenger trains.

BE IT FURTHER RESOLVED, that the Congress of the United States be informed that the authority granted the Interstate Commerce Commission under Section 13a of the Transportation Act of 1958 is not being used in the best interest of the citizens of the State of Alabama by approving the applications to discontinue 18 passenger trains over a period of 18 months.

BE IT FURTHER RESOLVED, that the Secretary of State be instructed to send copies of this resolution to the President of the United States; the President of the Senate of the United States; the Speaker of the House of Representatives of the United States; to the members of the Alabama Delegation of Congress; to the Chairman of the Committee on Interstate and Foreign Commerce of the United States; and to the Chairman of the Committee on Interstate and Foreign Commerce of the United States House of Representatives.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, HJR 23, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Hain, Blanton and Owens (W):

H. J. R. 24. WHEREAS, Judge James A. Hare of Selma, Alabama, died Tuesday, May 20th, at 3:15 A.M., after a long illness, and

WHEREAS, Judge James A. Hare was born in Massilon, Dallas County, Alabama, May 17, 1906, the son of James Albert and Betty

Kendrick Hare, whose forebears were among the early settlers of Dallas and Wilcox Counties, and

WHEREAS, James A. Hare was a graduate of Marion Institute and of the Law School of the University of Alabama; a member of the State House of Representatives from Dallas County from 1934 to 1942; of the Alabama Code Committee of 1940; and Assistant Attorney General from 1940 to 1942; volunteered for service in the United States Air Force as a Lieutenant in 1942, and served with distinction in its Judge Advocate General's Department, principally in the China, Burma, India theater until discharged as a Lieutenant Colonel in 1946, and

WHEREAS, James A. Hare was appointed Solicitor, now known as District Attorney, of the Fourth Judicial Circuit in 1946 by Governor Chauncey Sparks; elected in 1948 and re-elected in 1954; and was President of the Alabama Association of Circuit Solicitors in 1950; appointed Judge of the Fourth Judicial Circuit in 1954 by Governor Gordon Persons, elected in 1958 and re-elected in 1964; and served as President of the Alabama Association of Circuit Judges in 1965-1966; and

WHEREAS, Judge James A. Hare was a strong believer in States Rights, who as a judge dealt even handed justice promptly and firmly to one and all alike, refusing at all times to permit his court to be abused or the laws of our state flaunted, and opposed violence in all forms, and

WHEREAS, James A. Hare was active in all phases of civic endeavor and in partial recognition thereof was elected to the Board of Trustees of Marion Institute in 1956 and as Director of the John Tyler Morgan Academy at its inception in June, 1965, serving as such until his death; was largely responsible for the creation of the Sturdivant Museum Foundation and served as its President in 1958, 1959 and 1960; was recipient of the "Book of Golden Deeds" award of the Selma Exchange Club presented December 12, 1968, in recognition of his outstanding service as Jurist, educator, and a leader in cultural and civic affairs of our community and State; and

WHEREAS, Judge James A. Hare was an outstanding citizen, a scholar deeply interested in all phases of knowledge and scholarly endeavors, who filled a position of respect and leadership that cannot be duplicated.

NOW THEREFORE BE IT RESOLVED by the Legislature, both Houses concurring, that due note of the death of the Honorable James A. Hare be made, and the Legislature does hereby express to the members of his family their great bereavement at this time and extend to them their full sympathy.

BE IT FURTHER RESOLVED that the Legislature does hereby take due note that the State of Alabama has truly lost one of its first citizens in the death of the Honorable James A. Hare.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journals of this body and copies forwarded to the members of the family.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Givhan, the Rules were suspended and the Resolution, HJR 24, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Mathews:

H. 223. To confer additional powers on the Circuit Clerk of Coosa County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF COOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

To confer additional powers on the Circuit Clerk of Coosa County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Circuit Clerk of Coosa County shall have the power to take oaths in support of complaints and to issue warrants in all criminal cases, provided that such warrants shall be made returnable to a Court having original jurisdiction of the offense charged.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, J. C. Henderson, Publisher, of the Alexander City Outlook published weekly at Alexander City, Ala. do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated April 24, 1969, and ending with the issue dated May 15, 1969.

J. C. HENDERSON.

Subscribed and sworn before me this 15th day of May, 1969.

VONCILLE M. DEAN,
Notary Public.

My commission expires January 18, 1971.

Also:

By Mr. Mathews:

H. 224. To further regulate the sale of spirituous or vinous liquors and malt or brewed beverages in Coosa County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF COOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

AN ACT

To further regulate the sale of spirituous or vinous liquors and malt or brewed beverages in Coosa County.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any spirituous or vinous liquors to be sold in Coosa County other than in a State liquor store.

Section 2. It shall be unlawful for any malt or brewed beverages to be sold for consumption on the premises where sold in Coosa County.

Section 3. Any person who violates any provision of this Act shall be guilty of a misdemeanor and upon conviction, shall be punished as prescribed by law.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, J. C. Henderson, Publisher, of the Alexander City Outlook published weekly at Alexander City, Ala. do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated April 24, 1969, and ending with the issue dated May 15, 1969.

J. C. HENDERSON.

Subscribed and sworn before me this 15th day of May, 1969.

VONCILLE M. DEAN,
Notary Public.

My commission expires January 18, 1971.

Also:

By Messrs. Foshee and Jackson (F):

H. 253. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the town of Hartford in Geneva County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGALS

STATE OF ALABAMA
GENEVA COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, extend and redefine the boundary lines and corporate limits of the Town of Hartford in Geneva County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Hartford in Geneva County are hereby altered, rearranged, extended and redefined so as to include within the corporate limits of the town, all territory now embraced within such corporate limits and also certain other additional and adjacent territory in said county, as follows:

Section 36, Section 25, the E½ of Section 26, and the E½ of Section 35 of Township 2 North, Range 23 East; and the N½ of Section 1, and the NE¼ of Section 2, of Township 1 North, Range 23 East; and Section 30, Section 31, W½ of the W½ of Section 29, and the W½ of the W½ of Section 32, all in Township 2 North, Range 24 East.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
GENEVA COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times mentioned herein he was publisher of the News-Herald, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 17, April 24, May 1, and May 8, all in the year 1969.

ORSEN B. SPIVEY.

Sworn to and subscribed before me May 16, 1969.

GENE M. ANDREW,
Notary Public.

Also:

By Mr. Tuck:

H. 257. To amend further Section 3 of Act No. 149, H. 441, Acts 1951, p. 333 relating to Greene County, so as to make further provisions respecting the compensation of the chairman of the court of county commissioners.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF GREENE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 3 of Act No. 149, H. 441, Acts 1951, p. 333 relating to Greene County, so as to make further provisions respecting the compensation of the chairman of the court of county commissioners.

Be It Enacted by the Legislature of Alabama:

Section 3 of Act No. 149, H. 441, approved June 29, 1951 (Acts 1951, p. 883), as amended by an act approved September 30, 1959, is hereby amended so as to read as follows:

"The chairman of the Court of County Commissioners shall be the purchasing agent for the county and shall receive a salary of five hundred dollars per month for the performance of his duties as chairman and as county purchasing agent."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Greene Co. Democrat, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4-17, 4-24, 5-1, and 5-8, all in the year 1969.

RICHARD K. MARTIN.

Sworn to and subscribed before me 19 day May, 1969.

BETTY DIAL CHANDLER,
Notary Public.

Also:

By Mr. Tuck:

H. 258. To alter, rearrange and extend the boundaries and corporate limits of the town of Gordo, Pickens County, Alabama, so as to annex certain territory to the town.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF PICKENS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the town of Gordo, Pickens County, Alabama, so as to annex certain territory to the town.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the town of Gordo, Pickens County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of the town the following described territory in addition to the area now embraced within such boundaries and corporate limits, to-wit:

One parcel of land situated and lying in the Northeast quarter (NE¼) of the Northeast quarter (SE¼) of Section 8, and the Southeast quarter (SE¼) of the Southeast quarter (SE¼) of Section 5, Township 20 South, Range 13 West in Pickens County, Alabama more particularly described as follows: Beginning at a point 507 feet West of the Northeast corner of Section 8 and from this point run West along the Section line 273 feet; thence run South, perpendicular to the Section line 2 feet 6 inches and from this point run in a South westerly direction along the South land line of James E. Sullivan's property a distance of 150 feet; thence run North crossing the section line to the Northern boundary of James E. Sullivan's property a distance of 248 feet, intersecting the North line of James E. Sullivan's property at a point 613.40 feet East of a hub on old highway No. 82 and from this point, run East along the North line of property now owned by James E. Sullivan a distance of 200 feet and thence run South 4 feet 6 inches; thence run East parallel with section line 273 feet; thence run South 247.4 feet to the point of beginning, and which borders the North Corporate Limit Line of the Town of Gordo.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PICKENS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Daisy J. Junkin, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor of the Pickens County Herald, a newspaper of general circulation published in Pickens County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 17, April 24, May 1, and May 8, all in the year 1969.

DAISY J. JUNKIN.

Sworn to and subscribed before me May 8, 1969.

EUTEAL V. JUNKIN,
Notary Public.

Also:

By Mr. Tuck:

H. 259. To relieve the court of county commissioners, board of revenue or other like governing body of Greene County from responsibility of providing space and equipment to the county board of education and to provide in lieu thereof a cash payment.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF GREENE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

To relieve the court of county commissioners, board of revenue or other like governing body of Greene County from responsibility of providing space and equipment to the county board of education and to provide in lieu thereof a cash payment.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue, or other like governing body of Greene County is hereby relieved of the responsibility of furnishing office space, equipment and supplies to the county board of education or the county superintendent of education. The county governing body shall appropriate the sum of $4,000.00 to be paid annually to the county board of education for the purpose of providing such space, equipment and supplies. The first payment shall begin on or about October 1, 1969, and every year thereafter.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Greene County Democrat, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4-17, 4-24, 5-1, and 5-8, all in the year 1969.

RICHARD K. MARTIN.

Sworn to and subscribed before me 19 of May, 1969.

BETTY DIAL CHANDLER,
Notary Public.

Also:

By Mr. Fite:

H. 284. Providing for the compensation and meeting days of the jury commission in every county of this state having populations of not less than 20,500 nor more than 21,850, according to the most recent federal decennial census; and providing that this Act shall have retroactive effect.

Also:

By Messrs. Bassett and Hardin:

H. 319. To apply only in counties having populations of not less than 25,800 nor more than 26,700; to provide for the appointment of the County Superintendent of Education; to prescribe his qualifications, duties and term of office; and to repeal all conflicting laws.

Also:

By Mr. Stubbs:

H. 321. To provide that no municipality whose corporate limits do not lie wthin or extend into Shelby County shall have or exercise police jurisdiction or powers in said county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Be It Enacted by the Legislature of Alabama:

Section 1. No municipality whose corporate limits do not lie within or extend into and embrace or include a portion of Shelby County shall have or exercise police jurisdiction or police powers in Shelby County or over or on any person in Shelby County; nor shall any ordinance of and such municipality enforcing police or sanitation regulations or prescribing fines or penalties for violations thereof have force or effect in Shelby County. Nor shall such municipality exercise any taxing or licensing authority over any person or firm lying within its police jurisdiction within Shelby County retroactive to 1 January 1969.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part or parts which remain.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective on the first day of the first month next following the date of its enactment.

STATE OF ALABAMA,
COUNTY OF JEFFERSON,

On this 12th day of May, A.D. one thousand nine hundred and 69, personally appeared before me, R. H. Carlisle, a Notary Public in and for the County and State aforesaid Helen Thomas, who being duly sworn according to law, declares that she is Bookkeeper of "The Birmingham News" and "The Birmingham Post Herald", newspapers published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham News" on the following dates: April 16, 1969, April 23, 1969, April 30, 1969, May 7, 1969.

HELEN THOMAS.

Subscribed and sworn to before me this 12th day of May, A.D. 1969.

R. H. CARLISLE,
Notary Public.

My Commission expires 3-8-73.

STATE OF ALABAMA
COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide that no municipality whose corporate limits do not lie within or extend into Shelby County shall have or exercise police jurisdiction or powers in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. No municipality whose corporate limits do not lie within or extend into and embrace or include a portion of Shelby County shall have or exercise police jurisdiction or police powers in Shelby County or over or on any person in Shelby County; nor shall any ordinance of any such municipality enforcing police or sanitation regulations or prescribing fines or penalites for violations thereof have force or effect in Shelby County. Nor shall such municipality exercise any taxing or licensing authority over any person or firm lying within its police jurisdiction within Shelby County retroactive to 1 January 1969.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part or parts which remain.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective on the first day of the first month next following the date of its enactment.

THE STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper four weeks consecutively, towit in issues thereof dated as follows: April 17, 25, May 1, 8, 1969.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 19 day of May, 1969.

C. M. FOWLER,
Judge of Probate.

Also:

By Mr. Stubbs:

H. 322. To alter, redefine and reduce the corporate limits of the City of Leeds so as to exclude therefrom any and all territory lying within the boundaries of Shelby County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, redefine and reduce the corporate limits of the City of Leeds so as to exclude therefrom any and all territory lying within the boundaries of Shelby County.

Be It Enacted by the Legislature of Alabama:

Section 1. The corporate limits of the City of Leeds are hereby altered, redefined and reduced so as to exclude from the boundaries of said city any and all territory which lies within the boundaries of Shelby County.

Section 2. All laws or parts of laws in conflict with this act are hereby repealed.

Section 3. This act shall become effective on the first day of the first month next following the date of its enactment.

THE STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper four weeks consecutively, towit in issues thereof dated as follows: April 17, 24, May 1, 8, 1969.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 19 day of May, 1969.

C. M. FOWLER,
Judge of Probate.

A BILL
TO BE ENTITLED
AN ACT

To alter, redefine and reduce the corporate limits of the City of Leeds so as to exclude therefrom any and all territory lying within the boundaries of Shelby County.

Be It Enacted by the Legislature of Alabama:

Section 1. The corporate limits of the City of Leeds are hereby altered, redefined and reduced so as to exclude from the boundaries of said city any and all territory which lies within the boundaries of Shelby County.

Section 2. All laws or parts of laws in conflict with this act are hereby repealed.

Section 3. This act shall become effective on the first day of the first month next following the date of its enactment.

STATE OF ALABAMA
COUNTY OF JEFFERSON

On this 12th day of May, A.D. one thousand nine hundred and 69, personally appeared before me, R. H. Carlisle, a Notary Public in and for the County and State aforsaid Helen Thomas, who being duly sworn according to law, declares that she is Bookkeeper of "The Birmingham News" and "The Birmingham Post Herald", newspapers published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham News" on the following dates: April 16, 1969, April 23, 1969, April 30, 1969, May 7, 1969.

HELEN THOMAS.

Subscribed and sworn to before me this 12th day of May, A.D. 1969.

R. H. CARLISLE,
Notary Public.

My commission expires 3-8-73.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 223, 224, 253, 257, 258, 259, 284, 319, 321 and 322. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Steagall:

H. 364. To repeal Act No. 76, H. 457, Regular Session 1965 (Acts 1965, p. 104), entitled "An Act relating to counties having populations of not less than 31,000 nor more than 32,000; to fix the compensation of superintendents of education of such counties."

Also:

By Mr. Steagall:

H. 365. Relating to Dale County; providing further for the meetings of the county board of education, and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Dale County; providing further for the meetings of the county board of education, and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The county board of education of Dale County shall be required to hold one regular meeting of the board each month for the transaction of any business properly coming before the board but shall not be required to hold any meetings in addition to the regular meetings. The chairman of the board may, if he deems it necessary, call special meetings of the board but such additional meetings shall not be required by law. The minutes of all board meetings shall state the purpose for which each meeting is held.

Section 2. All laws and parts of laws, local or general, in conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 1, May 8, May 15, and May 22, all in the year 1969.

JOHN Q. ADAMS.

Sworn to and subscribed before me May 22nd, 1969.

CELESTE A. WOODS,
A Notary Public.

Also:

By Mr. Steagall:

H. 366. Regulating the compensation of registrars of Dale County, and providing for payment of additional compensation by the county.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Regulating the compensation of registrars of Dale County, and providing for payment of additional compensation by the county.

Be It Enacted by the Legislature of Alabama:

Section 1. In Dale County, each member of the board of registrars shall receive $10 per day to be paid by the state, and $5 per day to be paid by the county, to be disbursed on order of the judge of probate for each day's attendance of the registrar upon the sessions of the board.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 1, May 8, May 15, and May 22, all in the year 1969.

JOHN Q. ADAMS.

Sworn to and subscribed before me May 22nd, 1969.

CELESTE A. WOODS,
A Notary Public.

Also:

By Mr. Steagall:

H. 367. To alter, rearrange and extend the boundary lines and corporate limits of the City of Ozark, Dale County, so as to annex certain territory to the city.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and extend the boundary lines and corporate limits of the City of Ozark, Dale County, so as to annex certain territory to the City.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Ozark, Dale County, are hereby altered, rearranged and extended so as to include within the corporate limits of said City the following described territory lying and being in Dale County:

E½. Section 19, Township 5 North, Range 24 East, Dale County, Alabama, containing 320 acres, more or less.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 10, April 17, April 24, and May 1, all in the year 1969.

JOHN Q. ADAMS.

Sworn to and subscribed before me May 22nd, 1969.

CELESTE A. WOODS,
A Notary Public.

Also:

By Mr. Mays:

H. 372. To authorize county boards of education in all counties having a population of not less than 33,000 nor more than 35,000, to appoint the superintendent of education for such counties.

Also:

By Mr. Young:

H. 395. To regulate the compensation of the county superintendent of education of counties having a population of 10,800 to 12,000 according to the latest federal census; and repeal conflicting laws.

Also:

By Mr. Tuck:

H. 415. To alter, rearrange and establish commissioners districts in Pickens County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF PICKENS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and establish commissioners districts in Pickens County.

Be It Enacted by the Legislature of Alabama:

Section 1. The county of Pickens is hereby divided into four commissioners districts as follows:

The First District shall be composed of the election beats known as Henry, Providence, Vail's, Palmetto, Ethelsville (or Yorkville), Beard's, Reform, and that part of Bostick Beat which lies west of Lubbub Creek and is more particularly described as: All of Township 20 South, Range Fourteen West of the Huntsville Meridian, lying west of Lubbub Creek, and shall embrace the territory in said county now covered by said beats.

The Second District shall be composed of the election beats known as King's Store, Olney, Franconia (or Aliceville), Vienna, Bethany, Cochrane (or Fairfield), Dancy and Memphis, and shall embrace the territory in said county now covered by said beats.

The Third District shall be composed of the beats of Shelton, Corrs, Gordo, Raleigh and all of Bostick except that part which lies west of Lubbub Creek and is more particularly described as: All of Township 20 South, Range Fourteen West of the Huntsville Meridian lying West of Lubbub Creek.

The Fourth District shall be composed of the beats of Speed's Mill, Carrollton, Springhill, Pickensville and Pine Grove, and shall embrace the territory in said county now covered by said beats, except as hereinabove provided.

The word beats as herein used means the election beats or precincts into which Pickens County is divided pursuant to law in the date on which this act becomes law.

Section 2. Act No. 156, H. 397, of the Regular Session of 1923 (Local Acts, 1923, p. 76) and all other laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This act shall beits passage and approval by the come effective immediately upon Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PICKENS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Euteal Junkin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Pickens County Herald & West Alabamian, a newspaper of general circulation published in Pickens County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 28, April 4, April 11, and April 18, all in the year 1969.

EUTEAL JUNKIN.

Sworn to and subscribed before me this 14th day of May, 1969.

ROBERT H. KIRKSEY,
Judge of Probate.

Also:

By Mr. Tuck:

H. 416. Relating to Pickens County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
PICKENS COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Pickens County: providing for condemnation of any motor vehicle, gun, rifle or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Any motor vehicle, or any gun, rifle or other hunting equipment customarily used in hunting deer, or any possession thereof upon the person or in any motor vehicle of any person who may be apprehended while engaging in hunting deer at night in Pickens County shall be contraband and shall be forfeited to the State of Alabama. Such property may be seized by the Sheriff of the county or by any other officer or person acting under authority of law in the enforce-

ment of laws of this state, and the Sheriff or such other officer or person shall report the seizure and the facts connected therewith to the solicitor or any other prosecuting official of the county, giving a full description of the vehicle or other equipment seized and detained, the name of the person in whose possession it was found, the name of the person making claim to the same or any interest therein if the same is known or can be ascertained, the date of seizure, and a statement of the circumstances connected with the appresension of the person or persons whose property has been seized.

Section 2. In order to condemn and confiscate any of the property set out in section one of this Act it shall not be necessary for the solicitor or other prosecuting authority to prove possession of deer killed in night hunting or that the hunter be apprehended in the actual act of killing deer but it shall suffice to prove possession upon the person or in any motor vehicle of such persons of guns, ammunition, and other equipment normally used in hunting deer and the time, the place, and circumstances of the apprehension sufficient to support a conviction of the offense of night hunting of deer.

Section 3. Except as otherwise otherwise herein provided, the manner, the method and procedure for the forfeiture, condemnation, and sale of any motor vehicles or hunting equipment seized under authority of this act shall be the same as that provided by law for the confiscation, condemnation, and sale of autobiles, conveyances, or vehicles in which alcoholic beverages are illegally transported. Without limiting the generality of the foregoing sentence, the provisions of Code of Alabama 1940, Title 29, Sections 248 and 249 shall apply.

Section 4. The proceeds of the sale of any property condemned and forfeited to the state under authority of this act, after payment of all expenses in the cause, including the cost of seizure and a keeping of the property pending the proceedings, shall be aid into the state treasury to the credit of the Game and Fish fund.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PICKENS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Euteal V. Junkin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Pickens County Herald, a newspaper of general circulation published in Pickens County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Mar. 20, Mar. 27, April 3, and April 10, all in the year 1969.

EUTEAL V. JUNKIN.

Sworn to and subscribed before me May 16, 1969.

ROBERT H. KIRKSEY,
Judge of Probate,
Pickens County, Alabama.

Also:

By Messrs. Drake, McDonald, and Starnes:

H. 41. To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Good Hope, Cullman County, Alabama, be and the same are hereby altered, or rearranged so as to include all of the territory encompassed by the corporate limits of the Town of Good Hope, Alabama, and in addition thereto the following described territory, to-wit:

TRACT I

The Southwest Quarter of the Southeast Quarter, Section 29, Township 10 South, Range 3 West. ALSO: The North One-Half of the Northeast Quarter, Section 32, Township 10 South, Range 3 West.

TRACT II

The Southwest Quarter of the Southeast Quarter of Section 32, Township 10 South, Range 3 West.

TRACT III

The Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter of Section 33, Township 10 South, Range 3 West.

TRACT IV

The Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter of Section 5, Township 11 South, Range 3 West.

TRACT V

The East Half of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter of Section 8, Township 11 South, Range 3 West.

TRACT VI

The Southwest Quarter of the Southwest Quarter of Section 8, Township 11 South, Range 3 West. ALSO: The South One-Half of the

Southeast Quarter of the Southeast Quarter of Section 7, Township 11 South, Range 3 West.

TRACT VII

The Northeast Quarter and the East One-Half of the Southeast Quarter of the Northwest Quarter in Section 17, Township 11 South, Range 3 West.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 9, July 16, July 23, and July 30, all in the year 1968.

ROBERT BRYAN.

Sworn to and subscribed before me May 19, 1969.

SUE EVANS,
Notary Public.

Also:

By Messrs. Shumate and Dobbs:

H. 352. To alter, rearrange and extend the boundary lines and corporate limits of the town of Dora in Walker County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the town of Dora in Walker County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Dora are hereby altered, rearranged and extended so as to incorporate within the town the following described territory lying and being in Walker County, Alabama, to-wit:

Beginning at the Northeast corner of the present City limits of the Town of Dora, Alabama, as shown in Map Book 2, page 63, in the office of the Judge of Probate of Walker County, Alabama, which is the point of intersection of the south right-of-way line of U.S. Highway #78 (Bankhead Highway) and the west right-of-way line of the Empire Branch of the Frisco Railroad in the SE¼ of SE¼ of Section 9, Township 15 South, Range 5 West, thence run southwesterly along the East boundary of the present City Limits of the Town of Dora as follows: Run southwesterly along the West boundary of the Empire Branch

of the Frisco Railroad right-of-way as said railroad meanders through Sections 9, 16 and 17 to the intersection of the West boundary of the SE ¼ of SE ¼, Section 17, all in Township 15 South, Range 5 West, thence run South along said West boundary to the Southwest corner of the SE ¼ of the SE ¼ of Section 17, Township 15 South, Range 5 West, thence run Southwest a distance of 1867 feet, more or less, to the Southeast corner of the NE ¼ of the NW ¼ Section 20, Township 15 South, Range 5 West, thence run West a distance of 660 feet; thence run South a distance of 3960 feet, more or less, to the South boundary of Section 20, Township 15 South, Range 5 West; thence continue South a distance of 660 feet; thence run West a distance of 1980 feet, more or less, to the West boundary of Section 29, Township 15 South, Range 5 West, which is the Southwest corner of the present City Limits of the Town of Dora, Alabama; thence run South along the West line of the NW ¼ of NW ¼ of said Section 29, to the Southwest corner of said NW ¼ of NW ¼ of said Section 29; thence run East along the South line of the N ½ of NW ¼ of said Section 29 to the Southeast corner thereof; thence run North along the East line of the Northeast Quarter of the NW ¼ of said Section 29 to the Northeast corner thereof; thence run East along the South line of Section 20, Township 15 South, Range 5 West to the Southeast corner thereof; thence continue East along the South line of Section 21, Township 15 South, Range 5 West, to the Southeast corner of the W½ of said Section 21; thence North along the East line of said W½ of Section 21 to the Northeast corner of said W½ of said Section 21; thence continue North along the East line of the SE¼ of SW¼ of Section 16 Township 15 South, range 5 West, to the Northeast corner thereof; thence East along the South line of the NW¼ of SE¼ of said Section 16 to the Southeast corner thereof; thence North along the East line of said NW¼ of SE¼ to the Northeast corner thereof; thence East along the South line of the NE¼ of said Section 16 to the Southeast corner thereof; thence North along the East line of said Section 16 to the Northeast corner thereof; thence continue North along the East line of Section 9, Township 15 South, Range 5 West, to its intersection with the South right-of-way line of U.S. Highway 78; thence Northwesterly along the South right-of-way line of said Highway to the point of beginning.

Also:

Beginning at the Northwest corner of Section 9, Township 15 South, Range 5 West, and run South along the West line of said Section to its intersection with the South boundary of Sloss Road, which is the present City limits of the Town of Dora, Alabama, as shown in Map Book 2, page 63, in the office of the Judge of Probate of Walker County, Alabama; thence run northeasterly along said present City Limits of the Town of Dora, Alabama, as follows: thence run northeasterly along said South boundary of said Sloss Road as said road meanders through said Section 9 to its intersection with the South boundary of U.S. Highway #78 (Bankhead Highway) right-of-way; thence run northwesterly along said south right-of-way line of said Highway to its intersection with the North line of said Section 9; thence West along the North line of said Section 9 to the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Carmon A. Parsons, who, being

by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 7, March 14, March 21, and March 28, all in the year 1969.

CARMON A. PARSONS.

Sworn to and subscribed before me March 28, 1969.

R. W. BOTELER, JR.
Notary Public.

Also:

By Mr. Cook (Coffee):

H. 233. Relating to counties having populations of not less than 30,550 and not more than 31,000; providing for the appointment and terms of office of the directors of hospital associations organized in such counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 364, 365, 366, 367, 372, 395, 415, 416, 41, 352 and 233. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McCorquodale and Agee:

H. 26. To alter or rearrange the boundary lines of the City of Thomasville, Alabama, so as to include in the corporate limits of said city certain territory not now included, and to exclude from the City of Thomasville, Alabama, certain territory now included in the corporate limits of said city.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that during the next session, special or regular, of the Legislature of the State of Alabama, the following bill will be introduced:

A BILL
TO BE ENTITLED
AN ACT

To alter or rearrange the boundary lines of the City of Thomasville, Alabama, so as to include in the corporate limits of said city

certain territory not now included, and to exclude from the City of Thomasville, Alabama, certain territory now included in the corporate limits of said city.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Thomasville, in the County of Clarke, State of Alabama, be and the same are hereby altered and rearranged so as to exclude from the corporate limits of said City all of the lands not embraced within the description hereinafter set out, and to include within the corporate limits of said City all of the lands herein set out, to-wit:

SW¼ and E½ of Section 10; all of Section 11; S½ of NW¼ of Section 12; W½ of W½ of Section 13; all of Section 14; all of Section 15 lying East of the Choctaw Corner-Grove Hill Public Road. That part of the NW¼ of NE¼ of Section 15 described as follows: Begin at the NW corner of NE¼ of Section 15; thence South 300 yards; thence East to the East margin of the Choctaw Corner-Grove Hill Public Road; thence Northerly along the East boundary of said road to the North boundary of said forty; thence West to point of beginning; all of Section 22 lying East of the Choctaw Corner-Grove Hill Public Road; all of Section 23; W½ and SE¼ of Section 24; W½ and SW¼ of SE¼ of Section 25; all of Section 26; all of N½ of NE¼ of Section 27 lying East of Choctaw Corner-Grove Hill Public Road; W½ and N½ of NE¼ of Section 35; NW¼ of NW¼ of Section 36 and all of the NE¼ of NW¼ of Section 36 lying West of old Highway No. 5 less and except that portion described as follows: Begin at a point on the West margin of Old Highway No. 5, which point is 440 feet South of the North line of said forty; thence West 210 feet; thence South 870 feet, more or less, to the South line of said forty; thence East 210 feet, more or less, to the West margin of Old Highway No. 5; thence Northerly along the West margin of Old Highway No. 5 870 feet, more or less, to the point of beginning. All in Township 11 North, Range 3 East, Clarke County, Alabama; and NW¼ and N½ of SW¼ of Section 2, Township 10 North, Range 3 East, Clarke County, Alabama.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CLARKE

Before me, the undersigned authority, in and for said State and County, personally appeared PACE W. BOZEMAN, who is known to me and who, being by me first duly sworn, deposes and says:

That he is the publisher of The Thomasville Times, a newspaper published at Thomasville, in Clarke County, Alabama, and that the said Thomasville Times is printed in said Clarke County, Alabama, and is of general circulation in said City and County and has been mailed under second class mailing privileges at the United States Post Office at Thomasville Alabama, regularly each week for a period of more than fifty-two (52) consecutive weeks prior to the publication of Legal Notice a copy of which is attached hereto, and further, that said Legal Notice was published in said newspaper, The Thomasville Times, in the issue or issues dated January 17, 24, 31; February

7, 1968 and that said issue or issues were duly circulated among the subscribers of said newspaper.

PACE W. BOZEMAN,
Publisher—The Thomasville Times.

Sworn to and subscribed before me this 28th day of February, 1968.

BERNICE R. DORTCH,
Notary Public, State at Large.

My commission expires 1-11-70.

Also:

By Messrs. Foshee and Jackson (F):

H. 39. Proposing an amendment to the Constitution of Alabama providing for a special school tax in school districts number 1 and 2, Covington County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF COVINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama providing for a special school tax in school districts Number 1 and 2, Covington County.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, to become valid as a part thereof when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor.

Proposed Amendment

1. The governing body of Covington County shall have power to levy and collect annually a special school district tax not exceeding fifty cents on each one hundred dollars worth of taxable property in school districts number 1 and 2, Covington County, as assessed for state taxation, for public school purposes, provided the rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to a vote of the qualified electors of the districts and voted for by a majority of those voting at such election. Such tax shall be in addition to all other taxes provided for by law. The funds arising from such special district tax levied and collected by the county shall be expended for the exclusive benefit of the public schools in said districts. Elections under this amendment shall be called, held, and conducted in relation to the levying of special school district taxes under the third amendment to the Constitution.

2. If a majority of the qualified electors of school districts number 1 and 2, Covington County, who participate in the election on the

adoption, then the approval of the amendment as expressed by such vote shall of itself authorize the levying of the special tax provided for herein at the maximum rate specified for a period not exceeding twenty years.

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

PROOF OF PUBLICATION

STATE OF ALABAMA
COVINGTON COUNTY

Before me, the undersigned authority, personally appeared Robert D. Burgess who, being duly sworn deposes and says that he is the Editor of The Opp News, a newspaper of general circulation published at Opp in Covington County, Alabama; that said newspaper has been mailed under the second class mailing privileges of the United States Post office dated from the Post Office at Opp, Alabama, for 52 consecutive weeks and more prior to March 20, 1969; that the notice of School Tax attached hereto has been published in said newspaper for Four consecutive weeks in the weekly issues of said newspaper of the dates of March 20-27, April 3-10, 1969.

ROBERT D. BURGESS.

Sworn to and subscribed before me this 11th day of April, 1969.

TOMMIE SUE AMMONS,
Notary Public,
Covington County, Alabama.

Also:

By Messrs. Foshee and Jackson (F):

H. 40. To regulate the compensation and allowances of members of the board of education of Covington County and provide for the payment thereof.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF COVINGTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate the compensation and allowances of members of the board of education of Covington County and provide for the payment thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the board of education of Covington County shall receive from the public school funds of the county $25.00 a day and his traveling expenses at 10¢ per mile round trip and hotel expenses incurred in attending meetings of the board and transacting the business of the board. The members of the county board shall not be allowed pay for more than 24 days in any one year, and their per diem pay and expenses shall be paid from the public school funds of the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Larry K. Woodham, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Manager of The Florala News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 3-6-69, 3-13-69, 3-20-69, and 3-27-69, all in the year 1969.

LARRY WOODHAM.

Sworn to and subscribed before me April 17, 1969.

JAMES HAMILTON,
Notary Public.

Also:

By Mr. Collier:

H. 52. To apply only in Elmore County; fixing the fee for issuance of pistol permits by the sheriff and providing for distribution and use of such fees.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To apply only in Elmore County; fixing the fee for issuance of pistol permits by the sheriff and providing for distribution and use of such fees.

Be It Enacted by the Legislature of Alabama:

Section 1. In Elmore County the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama 1940, Title 14, Section 177, shall be five dollars, which fee shall be collected by the sheriff and deposited in the county treasury. Four-fifths of each fee collected shall be credited to a special fund or account in the county treasury and may be drawn on and used in the sole discretion of the sheriff for the purchase of equipment, materials and supplies, and for payment of compensation of additional personnel when and as needed in the sheriff's department, and the remainder of each fee so collected shall be paid into the general fund of the county and may be used for general fund purposes.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John P. Harris, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 23, Jan. 30, Feb. 6, and Feb. 13, all in the year 1969.

JOHN P. HARRIS,
Publisher.

Sworn to and subscribed before me February 18, 1969.

MRS. ELLEN T. HARRIS,
Notary Public.

Also:

By Mr. Collier:

H. 53. To fix the allowance for travel expenses provided the sheriff of Elmore County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To fix the allowance for travel expenses provided the sheriff of Elmore County:

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to his salary as prescribed by law the sheriff of Elmore County shall be entitled to an allowance of two hundred fifty dollars ($250) a month for travel expenses. The allowance shall be paid from the general funds of the county.

Section 2. This Act supersedes the provisions of Section 2 of Act No. 47, H. 100, Special Session 1962 (Acts 1962, p. 63) in conflict herewith.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John P. Harris, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 23, Jan. 30, Feb. 6, and Feb. 13, all in the year 1969.

JOHN P. HARRIS,
Publisher.

Sworn to and subscribed before me February 18, 1969.

MRS. ELLEN T. HARRIS,
Notary Public.

Also:

By Mr. Collier:

H. 54. To amend further Section 6 of Act No. 49, H. 213, Regular Session 1957, an act providing for a chief deputy sheriff and other deputies of the sheriff of Elmore County and regulating their compensation and allowances.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 6 of Act No. 49, H. 213, Regular Session 1957, an act providing for a chief deputy sheriff and other deputies of the sheriff of Elmore County and regulating their compensation and allowances.

Be It Enacted by the Legislature of Alabama:

Section 6 of Act No. 49, H. 213, Regular Session 1957, an act providing for a chief deputy sheriff and other deputies of the sheriff of Elmore County (Acts 1957, v. 1, p. 92), is hereby amended to read as follows:

"Section 6. Subject to the approval of the court of county commissioners, board of revenue, or other like governing body of Elmore County, the said Chief Deputy and the Deputies authorized in Sections 3, 4, and 5 hereof, in addition to their regular monthly compensation, shall each be paid for traveling in the performance of his official duties as such Chief Deputy and Deputies in all cases where he provides his own automobile and pays for operating the same, the sum of $250 a month for expenses."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John P. Harris, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 23, 1969, Jan. 30, 1969, Feb. 6, 1969, and Feb. 13, 1969, all in the year 1969.

JOHN P. HARRIS.
Publisher.

Sworn to and subscribed before me February 18, 1969.

MRS. ELLEN T. HARRIS,
Notary Public.

Also:

By Mr. Collier:

H. 55. Relating to Elmore County; providing expense allowances for members of the board of equalization of Elmore County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Elmore County; providing expense allowances for members of the board of equalization of Elmore County.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the board of equalization of Elmore County shall each be entitled to ten dollars per day as expenses for each day's attendance on the sessions of the board. Such expenses shall be paid out of the general fund of the county on certificates signed by the chairman of the board.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John P. Harris, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 27, April 3, April 10, and April 17, all in the year 1969.

JOHN P. HARRIS.

Sworn to and subscribed before me April 18, 1969.

MRS. ELLEN T. HARRIS,
Notary Public.

Also:

By Mr. Collier:

H. 56. Relating to Elmore County; providing expense allowances for members of the county board of registrars.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Elmore County; providing expense allowances for members of the county board of registrars.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the board of registrars of Elmore County shall each be entitled to not less than five nor more than ten dollars a day, as determined by the county governing body, as expenses for each day's attendance on the sessions of the board. Such expenses shall be paid out of the general fund of the county on certificates signed by the chairman of the board, and shall be in addition to the pay of such officers paid by the State.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John P. Harris, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 27, April 3, April 10, and April 17, all in the year 1969.

JOHN P. HARRIS.

Sworn to and subscribed before me April 18, 1969.

MRS. ELLEN T. HARRIS,
Notary Public.

Also:

By Messrs. Foshee and Jackson (F):

H. 75. To provide for the compensation of jurors in Geneva County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation of jurors in Geneva County.

Be It Enacted by the Legislature of Alabama:

Section 1. Regular jurors, grand and petit, serving in Geneva County are entitled to ten dollars for each day's services, five cents for each mile traveled in going to and returning from court, and ferriage and toll, to be proved by the oath of the juror before the clerk of the court. The clerk shall give each juror a certificate, stating

therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled. The certificate shall be receivable in payment of county taxes, and other county dues, payable out of the county treasury.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GENEVA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 27, March 6, March 13, and March 20, all in the year 1969.

ORSEN B. SPIVEY.

Sworn to and subscribed before me March 25, 1969.

MARY C. DAUGHTRY,
Notary Public.

Also:

By Messrs. Foshee and Jackson (F):

H. 76. Relating to Geneva County; regulating and providing for the payment of compensation of election officers.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Geneva County; regulating and providing for the payment of compensation of election officers.

Be It Enacted by the Legislature of Alabama:

Section 1. The officers appointed to hold elections in Geneva County shall each be entitled to ten dollars. The returning officer shall also be entitled to mileage as prescribed in Code of Alabama 1940, Title 17, Section 198 as amended. The several claims shall be paid as preferred claims, out of monies in the county treasury not otherwise appropriated, on proper proof of service rendered. However, amounts paid to election officers under this act for compensation, per diem or mileage in excess of the amounts prescribed by general laws shall not in any case be reimbursable by the State.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GENEVA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 27, March 6, March 13, and March 20, all in the year 1969.

ORSEN B. SPIVEY.

Sworn to and subscribed before me March 25, 1969.

MARY C. DAUGHTRY,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 26, 39, 40, 52, 53, 54, 55, 56, 75 and 76. To the Committee on Local Legislation No. 1.

(The above numbered Bill, H. B. 39, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Foshee and Jackson (F):

H. 77. To amend Act No. 207, H. 575, approved August 13, 1957, which authorizes and requires the court of county commissioners, board of revenue or other like governing body of Geneva County to provide clerk-hire allowances for the clerk of the circuit court, the tax assessor, the tax collector, and sheriff of Geneva County, so as to increase the amount of such allowances.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 207, H. 575, approved August 13, 1957, which authorizes and requires the court of county commissioners, board of revenue or other like governing body of Geneva County to provide clerk-hire allowances for the clerk of the circuit court, the tax assessor, the tax collector, and sheriff of Geneva County, so as to increase the amount of such allowances.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 207, H. 575, approved August 13, 1957 (Acts 1957, v. 1, p. 266) is hereby amended so as to read as follows:

"The court of county commissioners, board of revenue, or other like governing body of Geneva County is hereby authorized to provide for the clerk of the circuit court, the tax assessor, the tax collector, and sheriff of Geneva County a clerk-hire allowance of Three Thousand, Three Hundred ($3,300.00) Dollars for each year. The allowance shall be paid, when authorized, from the county treasury in equal monthly installments, on vouchers signed by the officer entitled to the allowance."

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GENEVA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 27, March 6, March 13, and March 20, all in the year 1969.

ORSEN B. SPIVEY.

Sworn to and subscribed before me March 25, 1969.

MARY C. DAUGHTRY,
Notary Public.

Also:

By Mr. Holladay:

H. 158. To allow the Sheriff of St. Clair County, Alabama, two (2) additional Deputies Sheriff to that now provided by law; to fix the salary of said Deputies and to make the same payable out of the general fund of St. Clair County, in monthly installments.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

The following bill or act substantially as follows will be introduced at the next special or regular session of the Legislature of the State of Alabama:

A BILL
TO BE ENTITLED
AN ACT

To allow the Sheriff of St. Clair County, Alabama, two (2) additional Deputies Sheriff to that now provided by law; to fix the salary of said Deputies and to make the same payable out of the general fund of St. Clair County, in monthly installments.

Be It Enacted by the Legislature of Alabama:

Section 1. That the sheriff of St. Clair County is hereby allowed two (2) additional deputies sheriff to the deputies now provided by law, which said deputies shall receive a salary of not less than $4,200.00 per annum and not more than $5,400.00 per annum which salary is to be fixed by the Commissioners Court or other governor body of said County to be paid in twelve equal monthly installments out of the general funds of said County; that said deputies shall be eligible to perform the duties of deputies sheriff anywhere in said county, and said deputies shall be appointed by the sheriff of said County to hold office at the pleasure of the Sheriff.

Section 2. That on the first of each month a statement of the name and amount due said deputies sheriff shall be furnished to the Court of County Commissioners or other governing body by the Sheriff and it shall thereupon be the duty of the Court of County Commissioners or other governing bodies to order a warrant drawn on the general funds of the county payable to said deputies for the amount of one month salary as hereinabove provided.

Section 3. That all laws and parts of Laws in conflict with this Act are hereby expressly repealed, and this Act shall be in full force and effect from the date of its passage and approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4/10, 4/17, 4/24, and 5/1, all in the year 1969.

E. R. BLAIR.

Sworn to and subscribed before me May 5th, 1969.

SARA S. BELL,
Notary Public.

Also:

By Mr. Holladay:

H. 159. To amend Act No. 124, H. 154, First Special Session 1964, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

The following bill or act will be introduced at the next special or regular session of the Legislature of the State of Alabama:

To amend Act No. 124 H. 154, First Special Session 1964, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county.

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 124, H. 154, First Special Session 1964, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county (Acts 1964, First and Second Special Sessions, page 180) is hereby amended to read as follows:

Section 1. The chief deputy sheriff of St. Clair County shall receive a salary of Six Thousand ($6,000.00) Dollars per annum. The other deputies now serving in the office of the sheriff of St. Clair County or which may hereafter be authorized shall each receive a salary of Five Thousand Four Hundred ($5,400.00) Dollars per annum. The salaries of the chief deputy and the other deputies shall be paid in equal monthly installments out of the general fund of the county.

Section 2. Said salaries shall be retroactive to February 1, 1969, and shall apply to the chief deputy and other deputies serving at said time.

Section 3. All laws or parts of law which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4/3, 4/10, 4/17, and 4/24, all in the year 1969.

E. R. BLAIR.

Sworn to and subscribed before me May 5th, 1969.

SARA S. BELL,
Notary Public.

Also:

By Mr. Holladay:

H. 160. Relating to St. Clair County; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

The following bill or act will be introduced at the next special or regular session of the Legislature of the State of Alabama:

Relating to St. Clair County; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

Be It Enacted by the Legislature of Alabama:

Section 1. In St. Clair County, the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama 1940, Title 14, Section 177, shall be $5.00, which shall be collected by the sheriff and deposited in the county treasury. Until January 1, 1971, four-fifths of each fee collected shall be credited to a special fund or account in the county treasury and shall be used exclusively by the sheriff for law enforcement purposes; and the remainder shall be paid into the general fund in the county treasury; after December 31, 1970, one-half of each fee collected shall be paid into the sheriff's fund and the other half shall be paid into the county general fund.

Section 2. The monies deposited into the sheriff's special fund shall be paid over by the county treasurer to the sheriff of St. Clair County, Alabama from time to time upon written requisition by the sheriff to the county treasurer. The sheriff shall keep and maintain records of all expenditures made from said fund; and said fund and sheriff's expenditures shall be subject to audit upon resolution from Court of County Commissioners of St. Clair County, or as otherwise provided by law.

Section 3. The establishment of the sheriff's fund as provided in this act and the use of such funds shall in no way diminish or take the place of any other imbursement or other source of income established for the sheriff or the operation of his office.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein men-

tioned he was Publisher of the St. Clair News Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4/3, 4/10, 4/17, and 4/24, all in the year 1969.

E. R. BLAIR.

Sworn to and subscribed before me May 5th, 1969.

SARA S. BELL,
Notary Public.

Also:

By Messrs. Graham and Berryman (W):

H. 37. Proposing an amendment to the Constitution of Alabama providing for a special school tax in school districts numbers one and two in Colbert County.

Also:

By Mr. Owens (W):

H. 208. To provide for the selection of textbooks, and instructional materials for use in the public schools of Bibb County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

State of Alabama, County of Bibb.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the selection of textbooks and instructional materials for use in the public schools of Bibb County.

Be It Enacted by the Legislature of Alabama:

Section 1. In Bibb County the county board of education, upon the recommendation of the county superintendent of education, may select and adopt for use in the tax-supported elementary and high schools in the county textbooks and instructional materials other than the textbooks and materials on the state-adopted list. Whenever textbooks and instructional materials are substituted for the state-approved or state-adopted books and materials, such books and materials shall be used by the teachers in the public schools in teaching any course or courses for which a substitution has been made. Provided, however, the county board of education shall not substitute books or texts or materials for the state-approved or state-adopted textbooks and materials, if such substitution would cause the county board of education to be unable to furnish free textbooks to all students in the system through the twelfth grade.

Section 2. The provisions of Act No. 412, S. 261, Regular Session 1945 (General Acts 1945, p. 647), and of Act No. 22, H. 40, Special

Session 1965 (Acts 1965, p. 288), which are inconsistent with this Act are superseded by this Act.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 17, April 24, May 1, and May 8, all in the year 1969.

J. W. OAKLEY, SR.

Sworn to and subscribed before me May 8, 1969.

MARVIN HUETT,
Notary Public.

Also:

By Mr. Hardin:

H. 209. To alter or rearrange the boundaries of the City of Greenville, Butler County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the next Regular Session of the Legislature of the State of Alabama for the enactment of a local law in substantially the following form, such law to be effective only in Butler County:

A BILL
TO BE ENTITLED
AN ACT

To alter or rearrange the boundaries of the City of Greenville, Butler County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Greenville, Butler County, Alabama, be and the same are hereby altered and rearranged so as to include within the Corporate limits of said City all territory now within such corporate limits, and certain additional territory in Butler County, Alabama, contiguous thereto, so that all the territory which comprises the City of Greenville shall be as follows:

All of Section Ten; all of Section Eleven; the South Half of Section Twelve; all of Section Thirteen; all of Section Fourteen; all of Section Fifteen; the East Half of Section Sixteen; all of Section Twenty-One; all of Section Twenty-Two; all of Section Twenty-Three; all of Section Twenty-Four; all of Section Twenty-Five; all of Section Twenty-Six; all of Section Twenty-Seven; all in Township Ten North of St. Stephens Base Line, Range Fourteen East of the St. Stephens Meridian, in Butler County, Alabama;

ALSO, all of Section Eighteen; and the West Half of Section Nineteen; all in Township Ten North of the St. Stephens Base Line, Range Fifteen East of the St. Stephens Meridian, in Butler County, Alabama.

Section 2. That all laws and parts of laws, general, local or special, in conflict with the provisions of this Act be and the same are hereby repealed.

Section 3. That this Act shall be effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BUTLER

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. E. Hardin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Greenville Advocate, a newspaper of general circulation published in Butler County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 24, May 1, May 8th, and May 15th, all in the year 1969.

W. E. HARDIN.

Sworn to and subscribed before me May 20th, 1969.

JOYCE NEWTON,
Notary Public.

Also:

By Mr. Mathews:

H. 219. Relating to all counties having populations of not less than 11,000 nor more than 13,000, according to the most recent federal decennial census; to confer additional powers on the Circuit Clerk of Clay County.

Also:

By Mr. Mathews:

H. 220. Relating to all counties having populations of not less than 11,000 nor more than 13,000, according to the most recent federal decennial census; further regulating the salary of the county superintendent of education in each such county.

Also:

By Mr. Mathews:

H. 221. Relating to all counties having populations of not more than 10,800, according to the most recent federal decennial census; further regu-

lating the salary of the county superintendent of education in each such county.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 77, 158, 159, 160, 37, 208, 209, 219, 220 and 221. To the Committee on Local Legislation No. 1.

(The above numbered Bill, H. B. 37, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Stubbs:

H. 323. Relating to the eighteenth Judicial Circuit; providing for separation of Jury by consent in the Circuit Courts of the counties composing such circuit.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
CLAY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the eighteenth Judicial Circuit; providing for separation of Jury by consent in the Circuit Court of the counties composing such circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall apply only in the Circuit Courts of the counties composing the eighteenth Judicial Circuit.

Section 2. If the accused and his counsel and also the prosecuting attorney, in any prosecution for felony, whether capitol or non-capitol, consent thereto in open Court, the trial court in its discretion may permit the jury trying the case to separate during the pendency of the trial, wheher the jury has retired or not. A separation so permitted shall not create a presumption of prejudice to the accused, but on the contrary it shall be prima facie presumed that the accused was not prejudiced by reason of the separation of the jury.

Section 3. It shall be improper for the trial Court to ask the accused, counsel for the accused, or the prosecuting attorney in the hearing of the jury whether or not he or they will consent to a separation of the jury pending the trial. It shall be improper for the accused or counsel for the accused, or the prosecuting attorney to state to the trial court in the hearing of the jury that he or they will consent to a separation of the Jury pending the trial.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval of the Governor, or upon it otherwisee becoming a law.

CERTIFICATE OF PUBLICATION

THE STATE OF ALABAMA
CLAY COUNTY

Before me Elizabeth D. Pruet, a Notary Public, in and for said County, personally appeared Mrs. R. M. Ussery, who duly sworn, deposes and says that she is the publisher of The Ashland Progress, a newspaper published weekly in Ashland, Clay County, Alabama, and that the Legal Notice-State of Ala, Clay Co. A Bill To Be Entitled An Act, a copy of which is attached hereto, was published in said newspaper for four consecutive weeks, commencing in the issue of Mar. 13, 1969, and ending in the issue of Apr. 3, 1969.

MRS. R. M. USSERY.
Publisher.

Sworn to and subscribed before me, this 4th day of April, 1969.

ELIZABETH D. PRUET
Notary Public.

LEGAL NOTICE

STATE OF ALABAMA,
COOSA COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the eighteenth Judicial Circuit; providing for separation of Jury by consent in the Circuit Courts of the counties composing such circuit.

Be It Enacted by the Legislature of Alabama:

Act 1. The provisions of this section shall apply only in the Circuit Courts of the counties composing the eighteenth Judicial Circuit.

Section 2. If the accused and his counsel and also the prosecuting attorney, in any prosecution for felony, whether capitol or non-capitol, consent thereto in open Court, the trial court in its discretion may permit the jury trying the case to separate during the pendency of the trial, whether the jury has retired or not. A separation so permitted shall not create a presumption of prejudice to the accused, but on the contrary it shall be prima facie presumed that the accused was not prejudiced by reason of the separation of the jury.

Section 3. It shall be improper for the trial Court to ask the accused, counsel for the accused, or the prosecuting attorney in the hearing of the jury whether or not he or they will consent to a separation of the jury pending the trial. It shall be improper for the accused or counsel for the accused, or the prosecuting attorney to state to the trial Court in the hearing of the jury that he or they will consent to a separation of the Jury pending the trial.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval of the Governor, or upon it otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, J. C. Henderson, Publisher of the Alexander City Outlook, published weekly at Goodwater, Alabama, do solemnly swear that a copy of the notice, as per clipping attached, was published four times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated February 13, 1969, and ending with the issue dated March 6, 1969.

J. C. HENDERSON.

Subscribed and sworn before me this 6th day of March, 1969.

VONCILLE M. DEAN,
Notary Public.

My commission expires January 18, 1971.

LEGAL NOTICE

STATE OF ALABAMA
SHELBY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the eighteenth Judicial Circuit; providing for separation of Jury by consent in the circuit courts of the counties composing such circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall apply only in the Circuit Courts of the counties composing the eighteenth Judicial Circuit.

Section 2. If the accused and his counsel and also the prosecuting attorney, in any prosecution for felony, whether capitol or non-capitol, consent thereto in open Court, the trial court in its discretion may permit the jury trying the case to separate during the pendency of the trial, wheher the jury has retired or not. A separation so permitted shall not create a presumption of prejudice to the accused, but on the contrary it shall be prima facie presumed that the accused was not prejudiced by reason of the separation of the jury.

Section 3. It shall be improper for the trial Court to ask the accused, counsel for the accused, or the prosecuting attorney in the hearing of the jury whether or not he or they will consent to a separation of the jury pending the trial. It shall be improper for the accused or counsel for the accused, or the prosecuting attorney to state to the trial court in the hearing of the jury that he or they will consent to a separation of the Jury pending the trial.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval of the Governor, or upon it otherwise becoming a law.

THE STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper four weeks consecutively, towit in issues thereof dated as follows: Feb. 20, 27, Mch. 6, 13-1969.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 14 day of March, 1969.

CONRAD M. FOWLER,
Judge of Probate.

Also:

By Messrs. Brassell and Higginbotham:

H. 326. Relating to Russell County: To create and establish in Russell County a court with county-wide limited jurisdiction of certain criminal cases and civil actions at law to be known as the "Court of Common Pleas of Russell County," defining its jurisdiction, providing it with officers and prescribing their powers, duties, compensation, terms of office, and the manner of their selection, appointment or election; regulating its procedure and process and the return of warrants thereto; abolishing the existing county court of Russell County, and providing for the transfer and trial of cases pending in the abolished court to the newly created Court of Common Pleas of Russell County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF RUSSELL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Russell County: To create and establish in Russell County a court with county-wide limited jurisdiction of certain criminal cases and civil actions at law to be known as the "Court Of Common Pleas of Russell County," defining its jurisdiction, providing it with officers and prescribing their powers, duties, compensation, terms of office, and the manner of their selection, appointment or election; regulating its procedure and process and the return of warrants thereto; abolishing the existing county court of Russell County, and providing for the transfer and trial of cases pending in the abolished court to the newly created Court of Common Pleas of Russell County.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established in Russell County a court with county-wide limited jurisdiction of criminal cases and civil actions at law. The court shall be known as the "Court of Common Pleas of Russell County." It shall be in lieu of the county court of Russell County which is hereby abolished.

Section 2 (a) Except as provided in subsection (b), the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings, cases and actions for unlawful detainer and for the recovery of possession of land, except actions in ejectment or actions in the nature of actions in ejectment, cognizable before the circuit court, or a county court, or justices of the peace or courts created in lieu of justices of the peace, and all courts of like jurisdiction. It may adopt and enforce rules and regulations relative to pleading, procedure and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State, and lawmade rules governing practice and procedure.

(b) The court shall not have power to try persons charged with felonies. It shall not have jurisdiction of civil actions of ejectment or actions in the nature of ejectment or of any civil actions when the matter or sum in controversy exceeds one thousand dollars, nor take cognizance of any matter or proceeding in equity. The court shall not have jurisdiction of workmen's compensation cases, libel, slander, or juvenile or domestic relation cases. When the action is in detinue in which the plaintiff seeks to recover on a chattel mortgage or a conditional sales contract, the amount in controversy shall, for the purpose of determining jurisdiction, be the balance of the mortgage debt or purchase price, as the case may be, or the value of the property in suit whichever may be less; and where the action is for forcible entry or unlawful detainer, the amount in controversy shall, for the purpose of determining jurisdiction, be the amount of damages claimed. The court shall have jurisdiction of proceedings for discovery of assets of judgment debtors and shall exercise such jurisdiction in the same manner that is provided by law with respect to civil judgments in circuit courts. The court shall also have such other powers and authority that are, or may hereafter be, conferred upon the circuit courts, except as otherwise provided in this act.

Section 3 (a) The judge of the Court of Common Pleas of Russell County shall be a resident citizen and a qualified elector of Russell County, at the time of his appointment or election, and shall reside in the county during his continuance in office. He shall be learned in the law, and duly licensed to practice law in this State.

(b) Immediately after the passage of this act, the Governor shall appoint a qualified person as judge of the Court of Common Pleas of Russell County, and shall issue a commission to him as such judge. He shall hold office until a successor is elected as provided hereinafter.

(c) A judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1970, and every four years thereafter. His term shall be for four years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

(d) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution, in the manner provided by law, and shall be subject to the same penalties and obligations as circuit judges.

(e) In the event of a vacancy in the office of judge, the Governor shall appoint a qualified person as judge and the person so appointed shall hold office as is provided in Sections 158 and 159 of the Constitution.

(f) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code.

(g) The judge shall receive a salary of seven thousand two hundred dollars ($7,200) per annum, payable out of the Court of Common Pleas fund of the county in equal monthly installments as the salaries of other county officers are paid.

(h) The judge shall have authority to: (1) administer oaths and take acknowledgments; (2) issue search warrants; (3) exercise such other powers, jurisdiction or authority as may now or hereafter be conferred by law upon circuit judges, judges of county courts, and justices of the peace, including that of magistrates on preliminary examinations. Provided, however, the judge shall not have or exercise the powers, jurisdiction, or authority of equity courts.

(i) In the absence of the regular judge, the clerk of the court may, if no special judge has been appointed, accept a defendant's written, sworn plea of guilty and assess against such defendant such fines and costs as may be authorized by law; and any judgment so rendered by the clerk shall have the same force and effect as a judgment rendered by the judge of the court.

Section 4. (a) The Court of Common Pleas of Russell County, shall be open for transaction of any and all business or judicial proceedings of every kind within its jurisdiction at all times.

(b) Sessions of the court shall be held at the county courthouse. Regular sessions for the trial of criminal cases shall be held on the first Monday of each month. On the third Monday of each month there shall be a call of the docket of the court for the handling, trial and disposition of all criminal cases where the defendant has been confined in jail for five days or more and has failed to make bond, and of such other criminal cases in which the defendant shall request a trial in time for the witnesses to be summoned and caused to appear at the trial. On the first Tuesday after the first Monday

and the first Tuesday after the third Monday in each month there shall be a session of said court and a call of the docket of said court for the handling, trial and disposing of civil cases. Special sessions may be held at such times as the judge shall designate. Sessions may continue so long as may be necessary for the court to complete its business. The judge may fix reasonable hours for the holding of court.

Section 5. The sheriff shall attend the sessions of the court in person or by deputy. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the county court or the circuit court.

Section 6. The district attorney of the Twenty-Sixth Judicial Circuit of Alabama shall be the solicitor of the Court of Common Pleas of Russell County. Said solicitor shall attend all sessions of said court and do and perform all duties of a solicitor therein and in addition shall attend and represent the State at all preliminary hearings therein and shall do and perform all duties required of a deputy solicitor by Code of Alabama, 1940, Title 13, Section 256.

Section 7. (a) The circuit clerk of Russell County shall be the ex-officio clerk of the Court of Common Pleas of Russell County. The clerk shall receive for such services the sum of $600.00 per annum which sum shall be payable in equal monthly installments from the general fund of the county, and in addition to his regular salary, fees, commissions or compensation, he shall be entitled to receive as compensation for his services as clerk of this court the same fees, commissions, percentages, allowances, and other compensation that are or may hereafter, be allowed to circuit clerks in the State of Alabama. In making his settlement with the state or county, as the case may be, the clerk shall retain such fees, commissions, percentages or allowances from any monies collected as fees, fines and costs in said court. He shall have authority to purchase at county expense such records, stationery, office supplies and equipment as may be necessary to conduct the court's business. Before entering upon the performance of his duties as clerk of the Court of Common Pleas of Russell County, he must give bond as required by law for clerks of county courts.

(b) It shall be the duty of the clerk to keep all the records, files and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk shall have power and authority to: (1) administer oaths and take acknowledgments and affidavits; (2) to sign and issue all processes issuing out of the court, including affidavits, summonses, subpoenas, writs, executions, commitments and releases making same returnable to the court hereby established; (3) to approve bonds in civil and criminal cases including appeal bonds; (4) to enter all judgments, orders and decrees of the court; (5) to certify all appeals and transcripts; (6) to exercise all powers and authority which are now or may be hereafter conferred on clerks of county courts.

Section 8. (a) Except as otherwise provided in this act, the practice, procedure and process of the court as to parties, trial, competency of witnesses, admissibility of evidence, the taking of depositions, the filing of interrogatories to opposing parties, regulation of suits, and the time within which suits may be brought shall be governed by the statutes and rules of practice, procedure and process governing the circuit courts.

(b) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process has been executed on the defendant, or service perfected on him as required

by law, the defendant shall appear and plead, answer or demur thereto within fifteen days, and the process issued shall so recite. Except as herein provided, the provisions of law, now or hereafter, governing the filing of interrogatories to parties to suit and the taking of depositions in the circuit courts of this State shall also govern the filing of interrogatories and the taking of depositions in the court hereby established; the parties being required to answer within thirty days.

(c) All garnishment proceedings in the court shall be governed by the provisions of Chapter 27 of Title 7, Code of Alabama 1940, except that the garnishee shall appear and file his answer within fifteen days after the service on him of process of garnishment and the process shall so recite.

Section 9. The court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury.

Section 10. (a) For their attendance upon the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the county courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulations as apply in the circuit courts, except that such fees shall be paid out of the county general fund.

(b) In addition to the fees for witnesses the court shall have authority to tax costs and commissions for the use of the officers of the court as follows: (1) in each civil action at law the same as the circuit court; (2) in each criminal case the same as in the county courts, including fees as provided by Section 89, paragraph 2, Title 11 of the Code of Alabama 1940.

(c) A trial tax of one dollar ($1.00) shall be collected for the use of the county in each civil action at law, if the sum in controversy does not exceed one hundred dollars ($100.00). In every other civil action at law, and in every criminal case, a trial tax of two dollars ($2.00) shall be collected for the use of the county.

Section 11. Prosecutions may be commenced in the court upon the sworn complaint made to the judge or district attorney, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty, or upon sworn complaint made as prescribed by Code of Alabama, 1940, Title 13, Section 327. The case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

Section 12. Any party aggrieved by a judgment, order, or ruling of the court may appeal the decision as herein provided: (1) If the case is a civil case, the appeal or certiorari lies to the circuit court of Russell County and shall be governed by Article 6 of Chapter 8, Title 13, of the 1940 Code, where the trial shall be de novo with trial by jury where demanded by either party as provided by Code 1940, Title 7, Section 264. Where a civil case is tried on appeal in the circuit court and the sum in controversy does not exceed one hundred dollars ($100.00) the issues shall be made up as provided by Code, 1940, Title 13, Section 486; otherwise the pleadings and trial shall be according to the regular rules of pleading and practice in the circuit court. (2) In every criminal case, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the Code of 1940, but with appeal bond to be approved by the clerk and with trial by jury on demand by the defendant as prescribed by Code 1940, Title 13, Section 326.

Section 13. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11 of Title 7 of the 1940 Code.

Section 14. The judge of the court shall have the power to punish for contempt in all cases where the judges of the circuit courts of this State may punish for contempt, by fine not exceeding fifty dollars ($50.00) and by imprisonment not to exceed five days, or by both fine and imprisonment.

Section 15. The County Court of Russell County is hereby abolished, and all cases pending in such abolished court when this act become effective shall be transferred from the docket of that court to the Court of Common Pleas of Russell County created by this act. The cases thus transferred shall proceed in the court of common pleas as though begun therein. This court shall have the same power to control judgments rendered by the abolished court and to issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

Section 16. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 17. All laws or parts of laws which conflict with this act are repealed.

Section 18. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me first duly sworn, deposes and says that during the time herein mentioned she was editor of the Phenix Citizen-Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 24, May 1, May 8, and May 15, all in the year 1969.

JANE GULLATT,
Editor.

Sworn to and subscribed before me May 19, 1969.

DWAN KIKI,
Clerk of Circuit Court,
Russell County, Alabama.

Also:

By Messrs. Manley and Pruitt:

H. 350. Relating to all counties having populations of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; to prescribe the qualifications of the county superintendent of education in each such county; and to regulate his compensation and expense allowances.

Also:

By Messrs. Springer, Harris, McElhaney, Cameron and Hobbie:

H. 305. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 27, Township 16 North, Range 17 East, Montgomery County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 27, Township 16 North, Range 17 East, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

All the part of the East half of the Southwest Quarter of Section 27, T. 16, R. 17, lying north of West Boulevard, and all that part of the West half of the Southeast Quarter of Section 27, T16, R.17, lying north of West Boulevard and West of the L & N Railroad, containing in the aggregate, 121.95 acres, more or less, all being in Section 27, T.16N and R17E.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, Kathleen Oswald, a Notary Public in and for said County in said State, personally appeared Guyton Parks, who is known to me and who first being by me duly sworn, doth on oath, depose and say:

That he is General Manager of the Alabama Journal, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper published in the City and County of Montgomery and State of Alabama, on the following dates: April 3, 10, 17, 24, 1969.

GUYTON PARKS.

Sworn to and subscribed before me this the 24 day of April, 1969.

KATHLEEN F. OSWALD,
Notary Public, Montgomery County, Alabama.

Also:

By Messrs. Springer, Harris, McElhaney, Cameron and Hobbie:

H. 306. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16 North, Range 18 East, Montgomery County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16 North, Range 18 East, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

Commencing at the northwest corner of Warwick Drive and Nordale Drive; thence north along the west line of Nordale Drive a distance of 140' to the north line of the Plat of Sunshine Acres, Plat No. 9, as filed for record in the office of the Judge of Probate, Montgomery County, Alabama, in Plat Book 18, on Page 53; thence west along the north line of said Plat No. 9 a distance of 150' to the point of beginning; thence continuing west along the north line of said Plat No. 9, and also along the north line of Plat No. 11, Sunshine Acres, as filed for record in the Office of the Judge of Probate, Montgomery County, Alabama, in Plat Book 19, at Page 9, to the northwest corner of said Plat No. 11; thence south along the west line of said Plat No. 11 to the southwest corner thereof; thence east along the south line of said Plat No. 11 and said Plat No. 9 to the southeast corner of said Plat No. 9; thence north along the east line of said Plat No. 9 to the northeast corner thereof; thence west along the north line of said Plat No. 9 to the point of beginning; said land lying in the NW¼ of the SE¼ of Section 31, T16N, R18E.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, Kathleen Oswald, a Notary Public in and for said County in said State, personally appeared Guyton Parks, who is known to me and who first being by me duly sworn, doth on oath, depose and say:

That he is General Manager of the Alabama Journal, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper published in the City and County of Montgomery and State of Alabama, on the following dates: April 3, 10, 17, 24, 1969.

GUYTON PARKS.

Sworn to and subscribed before me this the 24 day of April, 1969.

KATHLEEN F. OSWALD,
Notary Public, Montgomery County, Alabama.

Also:

By Messrs. Springer, Harris, McElhaney, Cameron and Hobbie:

H. 307. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 5, Township 15 North, Range 18 East, Montgomery County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 5, Township 15 North, Range 18 East, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

Beginning at the southwest corner of Lot 2 Block E of the Plat of Seth Johnson Estates Extension, Plat No. 1, as filed for record in the office of the Judge of Probate, Montgomery County, Alabama, in Plat Book 20 on Page 122; thence southeasterly along the south line of said Lot 2 to the northwest corner of Lot 3 Block E of said Plat No. 1; thence easterly along the north line of said Lot 3 to the northeast corner thereof; thence northeasterly across Falcon Lane to the southwest corner of Lot 19 Block C of said Plat No. 1; thence east along the south line of Lots 19, 18, 17, 16, 15, and 14, Block C of said Plat No. 1 to the southeast corner of said Lot 14; thence north along the east line of said Lot 14 to the southwest corner of Lot 13 Block C of said Plat No. 1; thence northeasterly along the south line of said Lot 13 to the southeast corner thereof; thence north along the east line of said Lot 13 to the south

line of Woodbridge Drive; thence east along the south line of Woodbridge Drive to a point on the southerly extension of the east line of Lot 5 Block A of said Plat No. 1; thence north along the southerly extension and east line of said Lot 5 to the northeast corner of said Plat of Seth Johnson Estates Extension, Plat No. 1; thence west along said Plat to the northwest corner thereof; thence south along the west line of said Plat No. 1 to the point of beginning. Said land lying the NW and NE quarters of the NW quarter of Section 5, T15 N, R18 E.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, Kathleen Oswald, a Notary Public in and for said County in said State, personally appeared Guyton Parks, who is known to me and who first being by me duly sworn, doth on oath, depose and say:

That he is General Manager of the Alabama Journal, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper published in the City and County of Montgomery and State of Alabama, on the following dates: April 3, 10, 17, 24, 1969.

GUYTON PARKS.

Sworn to and subscribed before me this the 24 day of April, 1969.

KATHLEEN F. OSWALD,
Notary Public, Montgomery County, Alabama.

Also:

By Messrs. Blanton and Hain:

H. 249. Relating to Dallas County; to authorize the county governing body of such county to contribute county funds towards the construction of a Y.M.C.A. building.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF DALLAS.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Dallas County; to authorize the county governing body of such county to contribute county funds towards the construction of a Y.M.C.A. building.

Be It Enacted by the Legislature of Alabama:

Section 1. The county governing body of Dallas County may in its discretion appropriate county funds and make contributions of public funds, not to exceed $45,000 to aid the Y.M.C.A. of Selma in the construction of a Y.M.C.A. building.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry H. Lloyd, who, being by me first duly sworn, deposes and says that during the times herein mentioned was Business Manager of the Selma Times-Journal, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks, said notice having appeared in the issues of said paper on April 10, April 17, April 24, and May 1, all in the year 1969.

HENRY H. LLOYD.

Sworn to and subscribed before me 8th day of May, 1969.

JOSEPHINE K. TIPTON,
Notary Public.

Also:

By Messrs. Blanton and Hain:

H. 250. To amend Section 1 of an act approved February 20, 1931, enlarging the powers of the court of county revenues of Dallas County (Act No. 51, S. 12, Local Acts of Alabama 1931, p. 15) so as to change the meeting date of regular sessions of the court from the first Monday of each month to the second Monday.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF DALLAS.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of an act approved February 20, 1931, enlarging the powers of the court of county revenues of Dallas County (Act No. 51, S. 12, Local Acts of Alabama 1931, p. 15) so as to change the meeting date of regular sessions of the court from the first Monday of each month to the second Monday.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of an act approved February 20, 1931, enlarging the powers of the court of county revenues of Dallas County (Act No. 51, S. 12, Local Acts of Alabama 1931, p. 15) is hereby amended to read as follows:

"Section 1. The Court of County Revenues of Dallas County, Alabama shall sit in regular session on the second Monday of each month;

and oftener, if necessary, for the transaction of the county business, on the call of the probate judge."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry H. Lloyd, who, being by me first duly sworn, deposes and says that during the times herein mentioned was Business Manager of the SELMA TIMES-JOURNAL, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks, said notice having appeared in the issues of said paper on April 10, April 17, April 24, and May 1, all in the year 1969.

HENRY H. LLOYD.

Sworn to and subscribed before me 8th. day of May, 1969.

JOSEPHINE K. TIPTON,
Notary Public.

Also:

By Mr. Holladay:

H. 161. To alter, rearrange and extend the boundaries and corporate limits of the town of Riverside, St. Clair County, Alabama so as to annex certain territory to the town.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA,

ST. CLAIR COUNTY.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the Town of Riverside, St. Clair County, Alabama so as to annex certain territory to the town.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the town of Riverside, St. Clair County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of the town the following described territory, to-wit:

Commence at the point where the North line of Section 19, Township 16, Range 5 East intersects the West bank of Coosa River (now Logan Martin Lake); thence West following the North line of said Section 19 and the North line of Sections 24, 23, & 22; in Township 16,

Range 4 East of the Northwest corner of said Section 22; thence South to the Southwest corner of Section 22; thence West along the North line of Section 28 to the Northwest corner thereof; thence South along West section line of said Section 28 to a point where same intersects Fishing Creek (also known as Seddon Creek); thence in a Southerly direction following the meanderings of said creek to a point where same flows into the Logan Martin Lake; thence following the North shore line of Logan Martin Lake at the low water mark in an Easterly direction to a point where same turns back North; thence continue along said shore line of Logan Martin Lake back to point of beginning.

Said description includes all of Sections 22, 23, 24, 25, 26, 27, 28, 33, 34, 35 & 36, Township 16, Range 4 East lying West of Logan Martin Lake, and that part of Section 19, Township 16, Range 5 East lying West of Logan Martin Lake, and that part of Sections 29 and 32, Township 16, Range 4 East lying East of Fishing Creek (Seddon Creek), and that part of Sections 5 and 4, Township 17, Range 4 East lying East of Fishing Creek and North and West of Logan Martin Lake.

LESS AND EXCEPT that part of Section 33 lying West of Fishing Creek. Said property includes that territory now constituting Riverside, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4/10, 4/17, 4/24, and 5/1, all in the year 1969.

E. R. BLAIR.

Sworn to and subscribed before me May 5th, 1969.

SARA S. BELL,
Notary Public.

Also:

By Mr. Steagall:

H. 363. Relating to Dale County; providing further for the compensation of superintendent of education; repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Dale County; providing further for the compensation of superintendent of education; repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The superintendent of education of Dale County shall be entitled to a salary of twelve thousand dollars ($12,000) per annum, and such allowance for travel and other expenses as shall be fixed by the county board of education. Such salary and allowance shall be paid in equal monthly installments out of any funds available to the Dale County board of education and shall be the entire compensation to which the county superintendent of education is entitled.

Section 2. All laws and parts of laws, both general and special, in conflict with this act are repealed.

Section 3. This act shall become effective July 1, 1969.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 1, May 8, May 15, and May 22, all in the year 1969.

JOHN Q. ADAMS.

Sworn to and subscribed before me May 22nd, 1969.

CELESTE A. WOODS,
A Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H.B.'s 323, 326, 350, 305, 306, 307, 249, 250, 161 and 363. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I submit to you for your confirmation the following appointments on the Farmers' Market Authority. These appointments were made by Governor Lurleen B. Wallace during February and April 1968:—Re-appointments—

Aaron Bailey —For term expiring February 1, 1974
Huntsville, Alabama

George Kaiser —For term expiring February 1, 1974
Foley, Alabama

Leslie Hatchett —For term expiring February 1, 1974
Grand Bay, Alabama

Respectfully,

ALBERT P. BREWER,
Governor.

JUNE 10, 1969.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the Farmers' Market Authority was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I submit to you for your confirmation the following appointments made by Governor Lurleen B. Wallace on the State Banking Board:

Herman Watson —For term expiring February 1, 1973
Fort Payne, Alabama

Noel M. Dowling —For term expiring February 1, 1973
Pinkard, Alabama

Respectfully,

ALBERT P. BREWER,
Governor.

JUNE 10, 1969.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the State Banking Board was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am submitting the following appointments which have been made on the Alabama Mental Health Board to you for confirmation, or such other action as you may deem right and proper:

Appointments made by Governor Lurleen B. Wallace during December 1967 and February 1968:

Dr. J. Paul Jones —For term expiring September 30, 1973
Camden, Alabama

Dr. James N. Sussex —For term expiring September 30, 1973
Birmingham, Alabama

Robert K. Wilson —For term expiring September 30, 1973
Jasper, Alabama Succeeding Norman Crawford, deceased

Appointments made by Governor Albert P. Brewer during July and October 1968:

Carl Boley —For term expiring September 30, 1974
Sheffield, Alabama

Dr. Hugh E. Gray —For term expiring September 30, 1974
Anniston, Alabama

Dr. Robert Parker —Succeeding Dr. James N. Sussex, resigned
Montgomery, Alabama For term expiring September 30, 1973

Respectfully,

ALBERT P. BREWER,
Governor.

JUNE 10, 1969.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the Alabama Mental Health Board, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Ralph Burroughs of Tuscaloosa, Alabama, as a member of the Tuscaloosa County Civil Service Board succeeding Woodrow Rushing, resigned, for the term expiring May 15, 1973.

Respectfully,

ALBERT P. BREWER,
Governor.

JUNE 10, 1969.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the Tuscaloosa County Civil Service Board, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Sam M. Phelps, Tuscaloosa, Alabama, on the Tuscaloosa City Civil Service Board succeeding Walter W. Flowers, Jr., resigned, for the term expiring May 15, 1973.

Respectfully,

ALBERT P. BREWER,
Governor.

JUNE 10, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the Tuscaloosa City Civil Service Board, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am submitting to you appointments of Members of the State Board of Education which were made by Governor Lurleen B. Wallace during October 1967.

Dr. James D. Nettles Arlington, Alabama	—From the First Congressional District For term expiring October 1, 1973
Mrs. Florence Strang Eufaula, Alabama	—From the Third Congressional District For term expiring October 1, 1973
Rev. Harold C. Martin Birmingham, Alabama	—From the Sixth Congressional District For term expiring October 1, 1973
W. M. Beck, Sr. Ft. Payne, Alabama	—From the Seventh Congressional District For term expiring October 1, 1973

The above appointments are submitted to you for your confirmation, or for such action as to you may seem right and proper.

Respectfully,

ALBERT P. BREWER,
Governor.

JUNE 10, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the State Board of Education, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as members of the Board of Trustees of the Alabama Institute for Deaf and Blind:

Mrs. Clara Stone Collins Mobile, Alabama	—From the First Congressional District For term expiring November 28, 1974
Earl D. James Montgomery, Alabama	—From the Second Congressional District For term expiring November 28, 1974
Elmer Lazenby Opelika, Alabama	—From the Third Congressional District For term expiring November 28, 1974
Geo. M. Limbaugh Childersburg, Alabama	—From the Fourth Congressional District For term expiring November 28, 1974
Edgar Wynn Ashland, Alabama	—From the Fifth Congressional District For term expiring November 28, 1970
Charlie Hawkins Tuscaloosa, Alabama	—From the Sixth Congressional District For term expiring November 28, 1970
John Oliver Jasper, Alabama	—From the Tenth Congressional District For term expiring November 28, 1970
Emmett Warren Sylacauga, Alabama	—From the Fourth Congressional District For term expiring November 28, 1972
Wm. D. Smith Athens, Alabama	—From the Eighth Congressional District For term expiring November 28, 1972
Lewellyn Johns, Sr. Birmingham, Alabama	—From the Ninth Congressional District For term expiring November 28, 1972

These appointments were made from the old Congressional Districts as the law setting up this Board has not been changed.

Respectfully submitted,

ALBERT P. BREWER,
Governor.

JUNE 10, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the Board of Trustees of the Alabama Institute for Deaf and Blind, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I submit to you the following appointments on the Board of Trustees of Alabama College which were made by Governor Lurleen B. Wallace in January 1968:

GROUP 1:

Mrs. E. N. Merriwether Mobile, Alabama	—From the First District For term expiring January 1979
Graham Wright Talladega, Alabama	—From the Fourth District For term expiring January 1979
Mrs. Peggy Wilson Jasper, Alabama	—From the 7th District For term expiring January 1979

GROUP 3:

Frank Samford, Jr. Birmingham, Ala.	—For State-at-large—Succeeding Alton E. Schermer, resigned For term expiring January 1975

The above appointments are submitted to you for confirmation, or for such action as to you may seem right and proper.

Respectfully,

ALBERT P. BREWER,
Governor.

JUNE 10, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the Board of Trustees of Alabama College, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Arthur P. Cook of Birmingham, Alabama, as a member of the Board of Trustees of the University of South Alabama from the State-at-large, succeeding Albert P. Brewer, resigned—for the term expiring September 30, 1977.

Respectfully,

ALBERT P. BREWER,
Governor.

JUNE 10, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the Board of Trustees of the University of South Alabama, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as members of the Board of Trustees of the State Training School for Girls:

Dr. Gene Qualls Sheffield, Alabama	—From the 8th Congressional District Succeeding Doyle Young, resigned For term expiring May 29, 1971
Mrs. Samuel E. Upchurch Birmingham, Alabama	—From the 9th Congressional District For term expiring May 29, 1973
Allen Lyman Bartlett Birmingham, Alabama	—From the 9th Congressional District For term expiring May 29, 1973
Mrs. John C. Henley, III Birmingham, Alabama	—From the 9th Congressional District For term expring May 29, 1973
W. Chester Sparks Birmingham, Alabama	—From the 9th Congressional District For term expiring May 29, 1973
Mrs. Marianne Haas Mobile, Alabama	—From the 1st Congressional District For term expiring May 29, 1975
Mrs. Sarah R. Parnell Montgomery, Alabama	—From the 2nd Congressional District For term expiring May 29, 1975
Mrs. Onna Mae Ellis Enterprise, Alabama	—From the 3rd Congressional District For term expiring May 29, 1975
Judge Bernard A. Reynolds Selma, Alabama	—From the 4th Congressional District For term expiring May 29, 1975

Appointments on this Board are made under provisions of the redistricting act approved February 25, 1931, as the law has not been amended.

Respectfully,

ALBERT P. BREWER,
Governor.

JUNE 10, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the Board of Trustees of the State Training School for Girls, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

Under the provisions of Act No. 239, House Bill No. 220, Regular Session 1967, Governor Lurleen B. Wallace made the following appointments on the Board of Trustees of Jacksonville State University:

Mrs. Freida Coggin Birmingham, Alabama	—From the Sixth Congressional District For term expiring December 28, 1971
Paul Carpenter Ashford, Alabama	—From the Third Congressional District For term expiring December 28, 1971
Mrs. Madge Pool Tuscaloosa, Alabama	—From the Fifth Congressional District For term expiring December 28, 1971
Dwain G. Luce Mobile, Alabama	—From the First Congressional District For term expiring December 28, 1975
Mrs. C. J. Fitzpatrick Montgomery, Alabama	—From the Second Congressional District For term expiring December 28, 1975
Colonel C. W. Daugette Gadsden, Alabama	—From the Seventh Congressional District For term expiring December 28, 1975
Charles T. (Pete) Mathews Ashland, Alabama	—From the Fourth Congressional District For term expiring December 28, 1979
Hugh D. Merrill Anniston, Alabama	—From the Fourth Congressional District For term expiring December 28, 1979
James D. Thornton Huntsville, Alabama	—From the Eighth Congressional District For term expiring December 28, 1979

The above appointments are submitted to you for confirmation or for such action as to you may seem right and proper.

Respectfully,

ALBERT P. BREWER,
Governor.

JUNE 10, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the Board of Trustees of Jacksonville State University, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

Under the provisions of Act No. 420, House Bill No. 503, Regular Session 1967, Governor Lurleen B. Wallace made the following appointments on the Board of Trustees of Troy State University:

Robert E. Kelly Montgomery, Alabama	—From the Second Congressional District For the term expiring October 24, 1971
Dr. Lillian Manley Demopolis, Alabama	—From the Fifth Congressional District For the term expiring October 24, 1971
Robert M. Guillott Vestavia, Birmingham, Ala.	—From the Sixth Congressional District For the term expiring October 24, 1971
Rev. Marvin K. Vickers Enterprise, Alabama	—From the Third Congressional District For the term expiring October 24, 1975
Robert T. Wilson Jasper, Alabama	—From the Seventh Congressional District For the term expiring October 24, 1975
Jack Giles Huntsville, Alabama	—From the Eighth Congressional District For the term expiring October 24, 1975
J. Wilbert Jordan Mobile, Alabama	—From the First Congressional District For the term expiring October 24, 1979
McDowell Lee Montgomery, Alabama	—From the Second Congressional District For the term expiring October 24, 1979
Mrs. Alice D. Moseley Selma, Alabama	—From the Fourth Congressional District For the term expiring October 24, 1979

The above appointments are submitted to you for confirmation or for such action as to you may seem right and proper.

Respectfully,

ALBERT P. BREWER,
Governor.

JUNE 10, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the Board of Trustees of Troy State University, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

Under the provisions of Act No. 424, House Bill No. 541, Regular Session 1967, Governor Lurleen B. Wallace made the following appointments on the Board of Trustees of Livingston State University:

Mrs. Joe Smitherman Selma, Alabama	—From the Fourth Congressional District For term expiring December 27, 1971
Sam J. Renfroe, Jr. Fayette, Alabama	—From the Seventh Congressional District For term expiring December 27, 1971
John R. Broadway Huntsville, Alabama	—From the Eighth Congressional District For term expiring December 27, 1971

Howard R. Vaughan Montgomery, Alabama	—From the Second Congressional District For term expiring December 27, 1975
K. T. Riley Mobile, Alabama	—From the First Congressional District For term expiring December 27, 1975
Howard Holt Birmingham, Alabama	—From the Sixth Congressional District For term expiring December 27, 1975
Tom McGregor Ozark, Alabama	—From the Third Congressional District For term expiring December 27, 1979
Winton Wise Livingston, Alabama	—From the Fifth Congressional District For term expiring December 27, 1979
Ira D. Pruitt Livingston, Alabama	—From the Fifth Congressional District For term expiring December 27, 1979

The above appointments are submitted to you for confirmation or for such action as to you may seem right and proper.

Respectfully,

ALBERT P. BREWER,
Governor.

JUNE 10, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the Board of Trustees of Livingston State University, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

Under the provisions of Act No. 773, House Bill No. 650, Regular Session 1967, Governor Lurleen B. Wallace made the following appointments on the Board of Trustees of Florence State University:

Jack F. Ivy Huntsville, Alabama	—For term expiring September 9, 1971
H. G. Richards Florence, Alabama	—For term expiring September 9, 1971
Mrs. Mary Ella Reavis Birmingham, Alabama	—For term expiring September 9, 1971
Harry L. Pennington Huntsville, Alabama	—For term expiring September 9, 1975
Jesse Rush Albertville, Alabama	—For term expiring September 9, 1975

Mack Adams —For term expiring September 9, 1975
Vernon, Alabama

Carl Puteet —For term expiring September 9, 1979
Florence, Alabama

Doyle R. Young —For term expiring September 9, 1979
Florence, Alabama

H. B. Larkins —For term expiring September 9, 1979
Decatur, Alabama

The above appointments are submitted to you for confirmation or for such action as to you may seem right and proper.

Respectfully,

ALBERT P. BREWER,
Governor.

JUNE 10, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the Board of Trustees of Florence State University, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

The following appointments have been made on the Alabama Educational Television Commission and are sent to you for confirmation or for such action as you may deem right and proper:

Martin J. Darity—Eufaula, Alabama, was appointed by Governor George C. Wallace on February 10, 1966, succeeding Robert Harper, resigned—for term expiring January 25, 1971.

Doctor Leslie Wright of Birmingham, Alabama, was appointed by me on July 15, 1968—for the term expiring January 25, 1977.

Respectfully,

ALBERT P. BREWER,
Governor.

JUNE 10, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the Alabama Educational Television Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

Since the last Regular Session of the Legislature the following appointments have been made on the State Board of Pensions and Security:

Appointments by Governor Lurleen B. Wallace:

Dr. Jerry A. Swindle —For the term expiring August 28, 1973
Dadeville, Alabama

Temple W. Coley —For the term expiring August 28, 1973
Alexander City, Alabama

Hilton Parrish —Succeeding Mrs. Mary Ella Reavis, resigned
Dothan, Alabama For the term expiring August 28, 1969

Appointment by Governor Albert P. Brewer:

Mrs. James K. Huffstutler —Succeeding Temple W. Coley, resigned
Mobile, Alabama For the term expiring August 28, 1973

The above appointments are hereby submitted to you for confirmation, or for such action as you may deem right and proper.

Respectfully,

ALBERT P. BREWER,
Governor.

JUNE 10, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the State Board of Pensions and Security, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Mathews:

H. 222. To authorize the court of county commissioners or like governing body of Coosa County to levy a privilege or license tax on persons, firms and corporations, selling, distributing or delivering any malt or brewed beverages to retailers in Coosa County; to authorize said governing body of Coosa County to collect the tax, and to make rules and regulations to govern enforcement and collection of the tax; to provide for the rate of the tax and the use of the proceeds thereof.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF COOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the court of county commissioners or like governing body of Coosa County to levy a privilege or license tax on persons, firms and corporations, selling, distributing or delivering any malt or brewed beverages to retailers in Coosa County; to authorize said governing body of Coosa County to collect the tax, and to make rules and regulations to govern enforcement and collection of the tax; to provide for the rate of the tax and the use of the proceeds thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners or like governing body of Coosa County may levy a privilege or license tax on all persons, firms and corporations, selling, distributing or delivering to retailers in Coosa County any malt or brewed beverages (including beer, lager, ale, porter, or similar fermented malt liquor containing one-half of one percent or more of alcohol by volume) which tax shall be in an amount equal to two cents (2c) on each twelve (12) fluid ounces or fractional part thereof, sold or distributed outside of the town or city limits and outside of the police jurisdiction of any incorporated municipality within the county; and one and one-half cents (1½c) on each twelve (12) fluid ounces or fractional part thereof sold or distributed within the police jurisdiction but outside of town or city limits of any incorporated municipality within the county; and one cent (1c) on each twelve (12) fluid ounces or fractional part thereof sold or distributed within the town or city limits of any incorporated municipality within the county.

Section 2. The privilege or license tax authorized by this act shall be collected by or under the supervision of the court of county commissioners or like governing body of Coosa County. The governing body may provide rules and regulations and administrative machinery for the enforcement and collection of the privilege or license tax authorized by this act, and may also provide reasonable compensation to sellers and distributors of malt or brewed beverages for the expenses of compliance with such rules and regulations. The governing body may employ such personnel as may be needed to collect and enforce the tax and shall fix the compensation and tenure of such personnel.

Section 3. The proceeds of the tax herein levied, when collected in the respective areas of the county shall be used for the public schools of the county, and for general purposes of the county in the following proportionate amounts: All of the tax collected within the town or city limits of any incorporated municipality shall be deposited in the public school fund of the county; of the tax collected outside the town or city limits of any incorporated municipality but within the police jurisdiction thereof, two-thirds (2/3) shall be deposited in the public school fund of the county of the tax collected in the county in areas outside of the town or city limits and outside of the police jurisdiction of any incorporated municipality, one-half (½) of the proceeds shall be deposited in the public school fund of the county. All such monies deposited in the public school fund shall be used solely for public school purposes of Coosa County. All of the remainder of the tax shall be

deposited in the general funds of the county for general purposes of the county.

Section 4. Any person, firm or corporation who violates any provision of this act or the rules and regulations provided by the governing body of Coosa County shall be guilty of a misdemeanor and upon conviction shall be punished as prescribed by law. Each month such violation continues shall constitute a separate offense.

Section 5. Any person, firm or corporation who fails to pay the tax herein levied within the time prescribed by this act shall pay, in addition to the tax, a penalty of ten percent (10%) of the amount of tax, together with interest thereon at the rate of one-half of one percent per month or fraction thereof, from the date at which the tax herein levied became payable, such penalty and interest to be assessed and collected as a part of the tax.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this act are repealed.

Section 8. This act shall become effective on the first day of the first month immediately after its passage and approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, J. C. Henderson, Publisher, of the Alexander City Outlook published weekly at Alexander City, Ala. do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated April 24, 1969, and ending with the issue dated May 15, 1969.

J. C. HENDERSON.

Subscribed and sworn before me this 15th day of May, 1969.

VONCILLE M. DEAN,
Notary Public.

My commission expires January 18, 1971.

Also:

By Messrs. Crawford and Stembridge:

H. 254. To apply only in counties having populations of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization.

Also:

By Messrs. Crawford and Stembridge:

H. 256. Relating to all counties having populations of not less than 15,000 nor more than 15,300, according to the most recent federal decennial census; to authorize the governing body of each such county to pay the salaries of clerks for the tax assessor and the tax collector of the county.

Also:

By Messrs. Dill, Gafford, Adwell, Bowers, Jackson (T), Weeks, Holman, Waggoner, Kilgore, Watkins, House, Gloor, Money, Sessions, Cherner, Cook (Jefferson), Ellis and Crane:

H. 273. To provide for the compensation to be paid circuit judges by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Also:

By Mr. Drake:

H. 241. Relating to the compensation of election officials in Cullman County; repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

A BILL
TO BE ENTITLED
AN ACT

Relating to the compensation of election officials in Cullman County; repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. In Cullman County the returning officer, the inspectors and the clerks for elections shall be entitled to ten dollars ($10.00), and their several claims shall be paid as preferred claims out of monies in the county treasury not otherwise appropriated on proper proof of service rendered. The returning officer shall also be entitled to mileage as otherwise prescribed by law.

Section 2. All laws or parts of laws in conflict with this act, whether local, general or special, are hereby repealed as to Cullman County.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 18, March 25, April 1, and April 8, all in the year 1969.

ROBERT BRYAN.

Sworn to and subscribed before me April 8, 1969.

SUE EVANS,
Notary Public

My commission expires May 21, 1972.

Also:

By Mr. Drake:

H. 242. To provide for the compensation of jurors in Cullman County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation of jurors in Cullman County.

Be It Enacted by the Legislature of Alabama:

Section 1. Regular jurors, grand and petit, serving in Cullman County are entitled to ten dollars for each day's services, five cents for each mile traveled in going to and returning from court, and ferriage and toll, to be proved by the oath of the juror before the clerk of the court. The clerk shall give each juror a certificate, stating therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled. The certificate shall be receivable in payment of county taxes, and other county dues, payable out of the county treasury.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA,
CULLMAN COUNTY.

Before me, the undersigned authority in and for said County and State, personally appeared MARC MILLER, publisher of THE CULLMAN TRIBUNE, a weekly newspaper published in Cullman, Cullman County, Alabama and being duly sworn says that the notice of which the attached is a true copy, was published in said newspaper once a week, for 4 successive weeks and being in the issues of said newspaper of the following dates, viz: March 20 and 27 and April 3 and 10.

MARC MILLER,
Publisher.

Sworn to and subscribed before me this, the 19th day of May 1969.

CHRISTINE M. DRAKE,
Notary Public.

Also:

By Mr. Drake:

H. 243. To amend further Section 7 of Act No. 13, H. 5, First Special Session 1955 (Acts 1955, p. 37), an act relating to the reorganization of the government of Cullman County, so as to provide further for the office of the resident county engineer.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CULLMAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 7 of Act No. 13, H. 5, First Special Session 1955 (Acts 1955, p. 37), an act relating to the reorganization of the government of Cullman County, so as to provide further for the office of the resident county engineer.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act No. 13, H. 5, First Special Session 1955 (Acts 1955, p. 37), an act relating to the reorganization of the government of Cullman County, as amended, is further amended to read as follows:

"Section 7. All persons employed by the State Highway Department in the administration of this Act shall be employed subject to the State Merit System Act. The resident engineer in charge of county roads shall be paid an expense allowance of $100 per month in addition to his salary. Such allowance shall be paid out of the county's gasoline tax funds before the same are turned over to the State Highway Department. At least one person may be employed in Cullman County by the department in the Merit System Classification of Highway Superintendent 11. Any resident of Cullman County who is on the register of eligibles established by the personnel director for the position of Highway Superintendent 11 shall be given preference over every other person whose name is on the register.

"The Cullman County commission shall provide and maintain necessary office space including furniture, equipment, supplies and telephone service for a county highway engineer's office in the county courthouse, the cost therefor to be paid from county funds. The state highway department shall provide and pay the salaries of such office personnel as may be necessary to staff such office, and the resident engineer in charge of county roads shall designate which of the state personnel shall occupy the office. Such personnel shall maintain regular office hours at all times when the courthouse is open for business."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 20, March 27, April 3, and April 10, all in the year 1969.

MARC MILLER.

Sworn to and subscribed before me May 19, 1969.

CHRISTINE M. DRAKE,
Notary Public.

Also:

By Mr. Drake:

H. 244. To amend further Section 3 of Act No. 18, H. 6, First Special Session 1955 (Acts 1955, p. 45), creating the Cullman County Commission on Education and establishing the office of superintendent of county schools, so as to provide further for the qualifications of said superintendent; repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CULLMAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
BY THE LEGISLATURE
OF ALABAMA:

To amend further Section 3 of Act No. 18, H. 6, First Special Session 1955 (Acts 1955, p. 45), creating the Cullman County Commission on Education and establishing the office of superintendent of county schools, so as to provide further for the qualifications of said superintendent; repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 18, H. 6, First Special Session 1955 (Acts 1955, p. 45) creating the Cullman County Commission on Education and establishing the office of Superintendent of County Schools, is amended to read as follows:

"Section 3. A superintendent of county schools shall be elected by the qualified electors of Cullman County at the general election in November, 1958, and every four years thereafter. The superintendent

of county schools shall take office on the first day of July next succeeding his election. No person shall be eligible for appointment, for political party nomination, or for election to the office of superintendent of county schools who does not hold a Masters degree, or equivalent, and does not submit. proof to the State Superintendent of Education of at least six years of successful teaching experience preceding his appointment or election. His term of office shall be for four years, and he shall be removed only by impeachment in the manner prescribed by law. He shall receive an annual salary and the neccessary expenses of traveling in the performance of his official duties. His salary shall be fixed by the Cullman County Commissiion on Education, at a sum of not less than Seventy Five Hundred Dollars per annum."

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 20, March 27, April 3, and April 10, all in the year 1969.

MARC MILLER.

Sworn to and subscribed before me May 19, 1969.

CHRISTINE M. DRAKE,
Notary Public.

Also:

By Mr. Drake:

H. 245. To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payment, distribution and use of the proceeds, so as to provide further for the use of the proceeds of such taxes.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payments, distribution and use of the proceeds so as to provide further for the use of the proceeds of such taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act. No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act relating to the Cullman County sales and use tax law is amended to read as follows:

"Section 7. The state department of revenue shall charge Cullman County for collecting the special county taxes levied such amount or percentage of total collections as may be agreed upon by the commissioner of revenues and the court of county commissioners, board of revenue, or like governing body of the county, but such charge shall not in any event exceed ten per cent of the total amount of special county taxes collected hereunder within the county. Such charge for collecting the special taxes for the county may be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due Cullman County for that month. The commissioner of revenue shall pay into the state treasury all county taxes collected under this Act, as such taxes are received by the department of revenue; and on or before the first day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this act and paid by him in to the state treasury for the benefit of Cullman County during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of Cullman County during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the public schools funds of Cullman County, in his official capacity, in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of the county. The custodian of public school funds for Cullman County shall deposit the revenue derived from the taxes levied herein in a special account separate and apart from other public school funds of the county and shall maintain separate records of such special account. The county board of education shall require an additional bond of the custodian of public school funds, in an amount to be prescribed by the board of education and payable to the board and conditioned as prescribed by law. Such additional bond shall be filed and recorded in the office of the judge of probate of the county. The premiums on such bond shall be paid from any school funds derived hereunder. The net proceeds derived from the taxes levied by this Act shall be distributed as follows: The custodian of public school funds shall pay annually to the governing body of Cullman County and to the City of Cullman each the sum of $12,500 which shall be payable at the rate of $1,000 per month for eleven months and $1,500 for the twelfth month. Funds payable to the county governing body shall be paid into the county general fund and funds payable to the City of Cullman shall be paid to the city treasurer. Such funds shall be kept separate and apart from other funds and shall be used exclusively for the purpose of promoting industrial development or for recreational

purposes. Exclusive of the $25,000 heretofore allocated to the county governing body of Cullman County and the City of Cullman to be used for the purpose of promoting industrial development or for recreational purposes, the remaining proceeds shall be divided equally between the board of education of Cullman County and the City of Cullman payable on a monthly basis. The board of education's share of the proceeds shall be used exclusively for educational purposes, including transportation, capital outlay, maintenance and upkeep of buildings and current expenses other than teachers' salaries. The city's share of the proceeds other than that specifically allocated by this Act for the promotion of industrial development and for recreational purposes shall be used for general municipal purposes."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 24, May 1, May 8, and May 15, all in the year 1969.

MARC MILLER.

Sworn to and subscribed before me May 19, 1969.

CHRISTINE M. DRAKE,
Notary Public.

Also:

By Messrs. Malone and Wright:

H. 252. To apply only in counties having populations of not less than 96,000 nor more than 106,000, regulating the compensation and allowances of members of the county board of education.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 222, 254, 256, 241, 242, 243, 244, 245 and 252. To the Committee on Local Legislation No. 1.

H. B. 273. To the Committee on Local Legislation No. 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Jackson (F) and Foshee:

H. J. R. 37. WHEREAS, the Ninety-ninth Anniversary of the Annual Masonic Day Celebration will be held in Florala, Alabama, on June 24, 1969, which is Saint John's Day; and

WHEREAS, this commemorative exercise was instituted in 1870 by St. Chapel Masonic Lodge No. 377 at Chapel Hill, which Lodge was in 1873 named Lake City Lodge No. 377, and thereafter in 1912 consolidated with Fidelity Lodge F. & A. M. No. 685 at Florala. The celebration has been remarkably successful over the years in attracting outstanding statesmen and patriots as speakers and participants. Many dignitaries of the Masonic Order have likewise joined in these events, which have meant so much to the Masons and to the people; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we warmly commend the fine organizations that are responsible for arranging these gala and festive occasions, and we join in welcoming to the forthcoming Annual Celebration the throng who will be afforded an opportunity to participate in this delightful and entertaining event.

RESOLVED FURTHER, That copies of this Resolution shall be sent to the Secretary of Fidelity Lodge F. & A. M. No. 685 at Florala, to the Grand Lodge F. & A. M., Montgomery, Alabama, and to the publishers of the Florala News.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Turner, the Rules were suspended and the Resolution, H. J. R. 37, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 1. Eulogizing the memory of Former Governor Lurleen B. Wallace on the first anniversary of her death.

Also:

H. J. R. 3. Appointing a committee to notify the Governor that the Legislature is ready for the transaction of business.

Also:

H. J. R. 4. Relative to retaining clerical personnel during the two weeks recess.

Also:

H. J. R. 5. Designating the Armory at Arab, Alabama, "Fort Wilbur F. Fowler."

Also:

H. J. R. 6. Relative to two weeks recess for the Legislature.

Also:

H. J. R. 7. Congratulating Mrs. Jerrie Lybrand upon being selected for the Distinguished Young Woman Award by the Anniston Jaycettes.

Also:

H. J. R. 8. Inviting Honorable Lewis E. McCray, National Vice Commander of the American Legion, to address the Legislature on behalf of the veterans of Alabama and the American Legion.

Also:

H. J. R. 10. Relative to requesting the Attorney General of the United States to review Alabama voting laws in connection with the VOTING RIGHTS ACT OF 1965.

Also:

H. J. R. 11. Commending Montgomery firemen and the Montgomery Fire Fighters Association for their generous efforts in the drive for contributions to the Lurleen B. Wallace Courage Crusade.

Also:

H. J. R. 12. Expressing regret upon the death of Dr. John T. Sheppard of Gadsden and extending sympathy to his family.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 14. Commending Dr. Samuel Richardson Hill, Vice President for Health Affairs at the University of Alabama Medical Center, and his staff.

Also:

H. J. R. 15. Commending Colonel Floyd Mann, Director of Public Safety, for his tireless and devoted service to the citizens of Alabama.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 18. Mourning the death of Mr. Josh R. Burgess, father of Representative Ray Burgess.

Also:

H. J. R. 19. Congratulating Dr. Simril F. Bryant, Pastor of the First Presbyterian Church of Tuscaloosa, upon his retirement.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 21. Relative to permanent employees of the Legislature being covered under the Employees' Retirement System of Alabama.

JOHN W. PEMBERTON,
Clerk,

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message for the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 22. Directing the State Personnel Board to amend certain rule relative to a reemployment register.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 13. Congratulating the League of Women Voters on their 50th Anniversary.

Also:

S. J. R. 14. Recognizing Mrs. Walter Bragg Smith, R.N., on her retirement.

Also:

S. J. R. 15. Commending Jean Marie Williams and Denise Williams for designing the flag for Etowah County's Centennial.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a

quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORTS OF COMMITTEES

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lolley:

S. 128. Making an appropriation from the state treasury for the relief of G. W. Hardwick of Enterprise, Alabama.

By Mr. Turner:

S. 276. To provide for the payment of compensation of officers, agents and employees of the Department of Public Safety, and to provide for the payment of expenses for subsistence and necessary equipment of the department when such officers, agents or employees shall be called upon by the Governor, or the appointing authority of the department, to perform duties relating to the control of civil disturbances, the restoration or preservation of the public order, or to perform rescue or protective duties at a natural or man-made disaster extending beyond twenty-four hours.

By Mr. Turner:

S. 230. To make an additional appropriation to the Division of Forestry of the Department of Conservation for the fiscal year ending September 30, 1969.

By Mr. Leonard:

S. 48. Making an appropriation from the state treasury for the relief of Mrs. James Charlie Hallman.

By Mr. Gilmore:

S. 329. To repeal Act No. 329, H. 714, approved July 1, 1943, as amended, an act relating to construction of farm to market roads (General Acts 1943, p. 311, et seq.).

By Mr. Gilmore:

S. 330. To provide for the disposition of unobligated SACP funds which have reverted to the State Highway Department.

By Mr. Turner:

S. 337. To amend Act No. 669, Regular Session 1939, known as the Motor Carrier Act of 1939 (General Acts of Alabama, 1939, p. 1064) by imposing a fee for applications for certificates of public convenience and necessity and permits.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Goodwyn, Pierce and Engel (with amendments):

S. 364. To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Pierce:

S. 241. To authorize the state comptroller to close out certain inactive funds in the state treasury and transfer the balance in such funds to the state general fund.

By Messrs. Pierce, Radney, Torbert, Lindsey, Engel and Goodwyn:

S. 365. To provide a cost of living increase to certain retired members of the Employees' Retirement System of Alabama.

By Mr. Clark:

S. 246. To create a Property Inventory Control Division in the office of the State Auditor; transferring to it the functions, jurisdiction, authority, personnel, property and effects vested in or required for that function in the Division of Service of the Finance Department; relieving the Director of the Finance Department of the responsibility of maintaining property records; and making an appropriation for carrying out the purposes of this act.

By Messrs. Engel, Turner, Carr, Stone, McDermott, Goodwyn, Lolley, Pierce, Lindsey, Jackson, Giles, Cooper, Branyon, Clark:

S. 248. To fix the salary of the Attorney General.

By Mr. Engel:

S. 304. To amend Code of Alabama 1940, Title 25, Section 8, to provide for compensation of commissioners of municipal housing authorities.

By Mr. Pierce:

S. 307. Relating to state employment; providing for payment of certain expenses of job transference.

By Messrs. Pierce, Radney, Torbert, Lindsey, Engel and Goodwyn:

S. 366. To amend Sections 3, 5, 7 and 8 of Act No. 515, HB 93, approved July 9, 1945, (General Acts 1945, Page 734) as amended, which relates to the Employees' Retirement System of Alabama.

By Mr. Turner:

S. 415. To amend Code of Alabama 1940, Title 35, Section 115, which relates to compensation for injury, disability and death of members of the state militia.

By Mr. Turner:

S. 109. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Montgomery Institute of Neurological Development for the operation and maintenance of the school.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Lindsey, McDermott, Giles, Clark, Radney, Pierce, O'Bannon, Torbert, Nabors, Folsom, Harris, Engel, Turner, Goodwyn, Skidmore, Leonard, McCarley, Branyon, Jackson, Dominick, Hawkins and Childs (with substitute):

S. 130. To make further provisions respecting distribution to municipalities, under Act No. 224 adopted at the 1967 Special Session of the Legislature of Alabama, of that portion allocated to municipalities under the said Act No. 224 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Sections 5 and 7 of the said Act No. 224, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities under Section 5 of the said Act No. 224 that have not yet been distributed to the said municipalities.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Giles:

S. 9. To amend Section 3 of Act No. 863, H. 1061, Regular Session 1965 (Acts 1965, p. 1603) an act to create the Alabama Space Science Exhibit Commission so as to exempt certain employees of the commission from the provisions of the state merit system act; to provide that such employees shall be eligible to participate in the state's health insurance plan and benefits for state employees and in the state employees' retirement system.

By Messrs. Cooper, Lolley, Clark, Engel, Radney, Lindsey, Albea, Vacca, Childs, Pierce, O'Bannon, Leonard, McDermott, Giles, Gilmore, Adams, Turner, Skidmore, Hawkins, Stone, Oden, Carr, Nabors, Folsom, Branyon, Givhan, Jackson, Harris and Pelham:

S. 80. To amend further Act No. 47, Special Session 1961, approved September 15, 1961 (Acts 1961, v. 2, p. 1904), which Act exempts certain religious, benevolent and civic institutions and organizations from taxation and licenses, so as to grant exemptions to Boys' Ranch.

By Mr. Pierce:

S. 126. To levy a license fee on Certified Public Accountants engaged in the practice of Public Accounting in the State of Alabama and to provide for the disposition of funds.

By Messrs. Giles, Jackson, Stone, Gilmore and Lolley:

S. 182. To provide for and regulate the payment of expenses of state officers and employees and persons traveling on official business for the State or any of its departments, institutions, boards, bureaus, commissions, councils, committees, and other like agencies.

By Messrs. Giles, Jackson, Stone, Gilmore and Lolley:

S. 183. To make an appropriation for the use of the board of adjustment for making awards to widows and dependents of certain peace or law enforcement officers and firemen killed in line of duty.

By Messrs. Giles, Jackson, Stone, Gilmore and Lolley:

S. 184. To amend Act 833, S. 128 Regular Session 1965 (Acts of Alabama 1965, p. 1564), an act creating the State Employees' Insurance Board so as to increase the employers maximum contribution.

By Messrs. Stone, Clark, Cooper, Goodwyn, Torbert, Givhan, Lindsey, Adams, Turner, Jackson, Giles, Nabors, Branyon, Lolley, Morrow, Gilmore, Oden, Radney, Pierce, Carr, Leonard, Folsom, Bailes, Hawkins, McDermott, Pelham, Engel, Childs and Vacca:

S. 185. To provide for and authorize the organization of a public corporation in the state to be named Coosa Valley Development Authority, for the purpose of furthering the development of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary; to designate the officers and members of the board of directors of the Authority; to define and describe the duties and obligations which the Authority is authorized to undertake and discharge in connection with the proposed waterway project; to prescribe the powers of the Authority; to limit and regulate the Authority's power to enter into contracts; to authorize the Authority to delegate is duties and obligations to other public corporations, agencies and departments of the state and to prescribe the conditions upon which such a delegation shall be effective; to authorize the State Docks Department to provide and maintain suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army and the Chief of Engineers; to authorize the sale and issuance of general obligation bonds of the state in aggregate principal amount not exceeding $10,000,000, the proceeds of which are to be expended by the Authority in discharging its duties and obligations in connection with the proposed waterway project; to make provisions for the sale, execution and issuance of the said bonds; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the said bonds; to provide that the said bonds and the income therefrom shall be exempt from taxation; to authorize and direct the State Treasurer to pay the principal of and interest on the bonds from any available funds of the state; and to provide for the dissolution of the Authority.

By Messrs. Stone, Clark, Cooper, Goodwyn, Torbert, Givhan, Lindsey, Adams, Turner, Jackson, Giles, Nabors, Branyon, Lolley, Morrow, Gilmore, Oden, Radney, Pierce, Carr, Leonard, Folsom, Bailes, Hawkins, McDermott, Pelham, Engel, Childs and Vacca:

S. 186. To propose an amendment to the Constitution of Alabama to authorize the state to engage in works of internal improvement in connection with (1) the construction and maintenance of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary and (2) to authorize the state to issue in connection therewith interest-bearing general obligation bonds of the state in principal amount not exceeding $10,000,000; and (3) to authorize the state to establish a public corporation with the powers and resources necessary to undertake obligations authorized by this amendment to be undertaken by the state.

The above Bill was read a second time at length as required by the Constitution.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Oden (with amendment):

S. 189. To provide for the regulation and control of state-owned motor vehicles for official use by state officers and employees; to limit the number, cost and use of such vehicles; to provide for a transportation pool and to fix the responsibility for the maintenance and repair of vehicles therein; to establish a revolving fund for the use of the transportation pool, providing for the payment of certain fees and charges for the use of pool cars to be paid into such fund and appropriating state funds therefor; to provide for the administration and enforcement of this act and to prescribe penalties for violations; to ratify all acts of the Governor and finance director in establishing a transportation pool and to validate the transfer of funds allocated to state departments for the acquisition of automobiles to the finance department for the establishment of a transportation pool.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Givhan and Lolley:

S. 212. To amend further the Farmers Market Authority Act, Act No. 672, S. 99 of the Regular Session of 1965, (Acts of Alabama 1965, p. 1208), so as to authorize the establishment of marketing facilities for additional agricultural products, and to authorize and regulate the sales, alienation and conveyance of markets, market facilities and appurtenances thereto by the Farmers Market Authority; to fix the annual salary of the Administrator of the Farmers Market Authority; to authorize the use of funds collected for capital outlay, maintenance, repairs and operating expenses for markets; and to lengthen the period for which space or facilities at markets may be leased or contracted for; to repeal Act No. 221, H. 178, Legislature of 1969, Special Session, approved May 15, 1969.

By Mr. Turner:

S. 278. Relating to banks and banking; amending further Code of Alabama 1940, Title 5, Section 91, which relates to filing fees for permits to transact business; amending such section to prescribe fees to be paid with the application for a permit for the merger of two or more banks, and providing for the disposition of such fees.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Turner (with amendment):

S. 283. Amending Section 251, Title 5, Code of Alabama 1940, so as to make further provisions respecting distribution and use of fees and assessments collected by the state banking department from savings and loan associations.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Goodwyn:

S. 287. To make a supplemental appropriation to the Commission on Physical Fitness.

By Messrs. Clark, Gilmore, Adams, Morrow and Cooper:

S. 289. Relating To Displacement Of Individuals, Families, Farm Operations, Businesses And Non-Profit Organizations; Providing That Payments May Be Made To Them As A Result Of Moving From Their Home, Farm, Or Business Due to Acquisition Of Their Property For Highway Construction Purposes; Providing That Relocation Moving Payments Be Considered A Part of Highway Construction; Providing That The Highway Department May Provide A Relocation Advisory Assistance Program In Keeping With This Act; Providing Optional Modes Of Payment To Those Displaced And Covered Under This Act; Authorizing The Highway Director To Adopt Rules And Regulations To Carry Out The Provisions Of This Act; Authorizing The Highway Director To Adopt Applicable Federal Rules And Regulations To Implement This Act And To Comply With The Relocation Assistance Provisions Of The Federal-Aid Highway Act Of 1968 And Subsequent Federal Acts Related Thereto; Repealing Section 39 (2), Title 23, Code Of Alabama, 1940, Recompiled 1958; To Provide How This Act May Be Cited; And To Provide A Severability Clause.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Folsom, Branyon, Lolley, Oden and Torbert (with substitute):

S. 311. To make an appropriation to the Department of Agriculture and Industries for the two fiscal years ending September 30, 1970 and September 30, 1971, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Engel:

S. 372. To appropriate the sum of Five Thousand Dollars ($5,000.00) to cover costs incurred by the Game and Fish Division of the Department of Conservation of the State of Alabama in hosting the annual meeting of the Southeastern Association of Game and Fish Commissioners.

By Messrs. Torbert and Clark:

S. 384. To provide for the appointment of one additional board member to the Alabama board of cosmetology; to provide for the qualifications, term, authority, duties, responsibilities and compensation of such member;

and to provide that this act shall be supplementary to the state cosmetology law as provided by Act No. 78, S. 72, Special Session 1961 (Acts 1961, p. 1955), as amended.

By Messrs. Engel, McDermott and Cooper:

S. 385. To provide the board of trustees of the University of South Alabama with additional powers and authority including the right to acquire title to certain real and personal property on Dauphin Island, including the seafood laboratory for marine biology, to be used by said university for purposes of research, instruction and other related purposes; to authorize the conservation department to transfer and convey its interest in and jurisdiction over said property with the exception of certain property and facilities necessary to the conservation department for licensing and law enforcement purposes; to provide for a division of responsibility for such property between the university and the conservation department; to provide that such conveyance shall be subject to the approval of the Mobile Area Public Higher Education Foundation, Inc. and to the terms of the lease agreement between said foundation and the conservation department and to provide for the manner of said conveyance; to authorize the state highway department to construct, reconstruct and maintain roads leading to and within said property including necessary parking area.

By Mr. Oden:

S. 387. To provide for abatement of ad valorem taxes on property acquired by condemnation or otherwise by the State of Alabama or any agency or instrumentality thereof.

By Messrs. Folsom and Branyon:

S. 408. To make an appropriation from the General Fund of the State Treasury to the use of the Agricultural Center Board for expenditure by said Board in the promotion of agriculture and agricultural fairs throughout the State by providing State aid for the payment of prizes, premiums and awards for agricultural and related exhibits at bona fide agricultural fairs; to provide the manner, methods and procedure under which funds appropriated for this purpose shall be disbursed; and to authorize the Agricultural Center Board to appoint a special awards committee for fairs and to adopt rules and regulations to effectuate the intent and purpose of this Act.

By Mr. Oden:

S. 426. To make a conditional appropriation from the Alabama Special Educational Trust Fund for capital outlay purposes.

By Messrs. Torbert and Radney:

S. 54. To make an appropriation to Auburn University for operation and maintenance of the school at Montgomery.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Torbert (with substitute):

S. 58. To amend Section 29, Title 13, Code of Alabama 1940, as amended, relating to the salary of every justice of the supreme court.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Cooper, Stone, Lolley, Vacca, Bailes, Gilmore, Oden, Engel, Clark, Torbert, Turner, Carr, Nabors, Folsom, Branyon, Givhan, Jackson, Harris and Pelham:

S. 79. To authorize and provide for compulsory driver education in the public high schools of Alabama and the granting of credit for same.

By Mr. Dominick:

S. 270. To prohibit the use of state funds for the construction of dormitories for state junior colleges and state trade schools or for the preparation therefor.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, Reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Adams (with notice and proof):

S. 379. Relating to the Office of the Sheriff of Houston County; providing further for the appointment, number, term, duties and compensation of the deputies of the Sheriff, and repealing conflicting laws, including Act No. 163, H. 765, Regular Session 1965 (Approved July 23, 1965).

By Mr. Radney (with notice and proof):

S. 424. Relating to Elmore County: abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

By Mr. Radney (with notice and proof):

S. 425. To alter, rearrange, redefine, and extend the boundary lines and corporate limits of the Town of Camp Hill, in Tallapoosa County, Alabama.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 82. To be known as the Alabama Consumer Credit Code, relating to certain consumer and other credit transactions and constituting the uniform consumer credit code; consolidating and revising certain aspects of the law relating to consumer and other loans, consumer and other sales of goods,

services and interests in land, and consumer leases; revising the law relating to usury; regulating certain practices relating to insurance in consumer credit transactions; providing for administrative regulation of certain consumer credit transactions; making uniform the law with respect thereto; and repealing inconsistent legislation, including the following laws and parts of law:

Code of Alabama 1940: Title 9, § § 61, 65, and 66; Title 28, § 296; and Title 51, § 495 as amended by Act No. 680, General Acts of Alabama, Regular Session (1953); and Act No. 374 General Acts of Alabama, Regular Session 1959, known as the Alabama Small Loan Act; and to amend the following laws:

Code of Alabama 1940: Title 9, § 60; and Title 5, § 120.

The question was on the amendment offered by Mr. Turner, which said amendment is set out at length in the Journal of the Senate for the Seventh Legislative Day.

And said amendment was then adopted by the Senate.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Engel	Hawkins	Pelham
Adams	Folsom	Jackson	Pierce
Albea	Giles	Lindsey	Radney
Bailes	Gilmore	Lolley	Skidmore
Branyon	Givhan	McCarley	Torbert
Childs	Goodwyn	Morrow	Turner
Dominick	Harris	O'Bannon	Vacca

—27

Nays: —0

Mr. McCarley moved that further consideration of the Bill, S. B. 82, as amended, be postponed until the next Legislative Day. On motion of Mr. Turner, the motion to postpone was laid on the table.

Yeas 16; Nays 13.

Yeas:

Messrs.:	Gilmore	Lolley	Radney
Adams	Givhan	McDermott	Torbert
Branyon	Goodwyn	Morrow	Turner
Clark	Jackson	Pierce	Vacca
Engel			

—16

Nays:

Messrs.:	Dominick	Lindsey	O'Bannon
Albea	Harris	McCarley	Oden
Bailes	Hawkins	Nabors	Pelham
Childs	Leonard		

—13

RESOLUTIONS

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 23. RESOLVED BY THE SENATE THAT THE FOLLOWING BILLS SHALL BE THE PARAMOUNT AND CONTINUING ORDER OF BUSINESS FOR THE Ninth LEGISLATIVE DAY ONLY:

BILL NO.	PAGE
SB 12	38
SB 70	6
SB 108	9
SB 209	20
SB 210	22
SB 225	24
SB 226	24
SB 227	24
SB 228	25
SB 238	25
SB 239	25
SB 240	25
SB 249	18
SB 250	19
SB 291	38
SB 301	31
SB 302	31
SB 4	22
SB 236	41
SB 386	56

Mr. Bailes offered the following amendment to the Resolution, S. R. 23, to-wit:

AMENDMENT TO S. R. 23

Amend SR 23 by deleting SB 4 on Page 22.

Which was adopted.

Mr. Pelham moved that the Senate reconsider the vote by which the amendment to the Resolution, S. R. 23, was adopted. Mr. Bailes moved that the motion to reconsider be laid on the table, and the motion to table was lost.

Yeas 9; Nays 16.

Yeas:

Messrs.:	Dominick	Givhan	Morrow	
Bailes	Engel	Goodwyn	Vacca	
Childs	Gilmore			—9

Nays:

Messrs.:	Jackson	McDermott	Pierce
Adams	Leonard	Nabors	Skidmore
Albea	Lindsey	Oden	Torbert
Branyon	Lolley	Pelham	Turner
Harris			

—16

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 51. To provide that all debts incurred under the Acts of Congress commonly known as the National Housing Act and the Acts providing for Veterans' Benefits, as now existing or as they may hereafter be amended or supplemented, shall be legal investments for banks, insurance companies, savings and loan associations, trustees, fiduciaries of all types and for any other person, firm or corporation.

Also:

S. 52. To exempt debts incurred under the Acts of Congress, commonly known as the National Housing Act and the Acts providing for Veterans' Benefits, as now existing or as they may hereafter be amended or supplemented, from usury and interest restrictions of this State.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 53. To permit corporations to pay such rates of interest on the loan or forbearance of money as such borrower may agree to pay without regard to any provision of law limiting interest rates, and denying to such borrower and to other persons who may become liable thereon the right to claim or raise the defense of usury.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Torbert, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 53, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE COMMITTEE SUBSTITUTE FOR SB 53

A BILL
TO BE ENTITLED
AN ACT

To permit corporations to pay a rate or rates of interest not to exceed 15 per centum (15%) per annum on the loan or forbearance of money having

an original principal balance of Ten Thousand ($10,000.00) Dollars or more and less than One Hundred Thousand ($100,000.00) Dollars, and to pay a rate or rates of interest on the loan or forbearance of money having an original principal balance of not less than One Hundred Thousand ($100,000.00) Dollars as that corporation may determine without regard to any provision of law prescribing or limiting interest rates, to specify certain evidences of indebtedness to be included in the term "original principal balance", and denying to such corporations and to certain others who may become liable on such a loan or forbearance the right to claim or raise the defense of usury.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall not apply to any agreement involving the loan or forbearance of money where the original principal balance is less than Ten Thousand ($10,000.00) Dollars.

Section 2. Any domestic or foreign corporation organized for profit may agree to pay such rate or rates of interest for the loan or forbearance of money, as such corporation may determine, notwithstanding any law of this State otherwise prescribing or limiting such rate or rates of interest, provided, that the original principal balance of the loan or forbearance of money is not less than One Hundred Thousand ($100,000.00) Dollars; and provided further, that where the original principal balance of the loan or forbearance of money is less than One Hundred Thousand ($100,000.00) Dollars, and not less than Ten Thousand ($10,000.00) Dollars, the rate or rates of interest thereon shall not exceed 15 per centum (15%) per annum.

Section 3. The term "original principal balance" as used herein, shall also include the total principal amount of indebtedness incurred in a single issue or sale of bonds, debentures, promissory notes, or like transaction without regard to the face amount or denomination of any bond, debenture, note or other evidence of indebtedness constituting a part of such issue or sale.

Section 4. As to any such loan or forbearance of money made in compliance with Section 2 of this Act, neither such corporation, its successors or assigns, nor any surety, guarantor, endorser, or any other person, firm or corporation, which may become liable, in whole or in part, for the payment of the debt and interest agreed to be paid thereon, or under any extension, amendment or renewal thereof, may raise or claim the defense or benefit of the usury law or any other law prescribing, regulating or limiting such rate or rates of interest.

Section 5. All laws or parts of laws in conflict with this Act are hereby superseded.

Section 6. If any section, provision, sentence or phrase of this Act shall be declared unconstitutional, or void for any reason, such adjudication shall not affect any other provision hereof, and the remainder thereof shall be left intact and valid.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Bailes	Clark	Goodwyn
Adams	Branyon	Gilmore	Harris
Albea	Childs	Givhan	Hawkins

Jackson	Lolley	Nabors	Skidmore	
Leonard	McCarley	Oden	Torbert	
Lindsey	Morrow	Pierce	Turner	
				—23

Nays: —0

FURTHER CONSIDERATION OF S. R. 23

The Senate proceeded to further consideration of the Resolution, S. R. 23, as amended. The question was on the motion of Mr. Pelham that the Senate reconsider the vote by which the amendment was adopted, and the motion to reconsider prevailed.

Yeas 17; Nays 8.

Yeas:

Messrs.:	Gilmore	Lindsey	Pierce	
Adams	Givhan	Lolley	Skidmore	
Branyon	Harris	McCarley	Torbert	
Cooper	Jackson	Nabors	Turner	
Folsom	Leonard			—17

Nays:

Messrs.:	Childs	Goodwyn	Morrow	
Albea	Dominick	Hawkins	Vacca	
Bailes				—8

And the amendment offered by Mr. Bailes to the Resolution, S. R. 23, was then lost.

Yeas 10; Nays 19.

Yeas:

Messrs.:	Childs	Givhan	Morrow	
Albea	Dominick	Goodwyn	Vacca	
Bailes	Gilmore	Hawkins		—10

Nays:

Messrs.:	Folsom	Lolley	Pelham	
Adams	Harris	McCarley	Pierce	
Branyon	Jackson	McDermott	Skidmore	
Clark	Leonard	Nabors	Torbert	
Engel	Lindsey	Oden	Turner	
				—19

And said Resolution, S. R. 23, was then adopted by the Senate.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Oden	
Adams	Folsom	Lindsey	Pelham	
Albea	Gilmore	Lolley	Pierce	
Bailes	Givhan	McCarley	Skidmore	
Branyon	Goodwyn	McDermott	Torbert	
Childs	Harris	Morrow	Turner	
Clark	Hawkins	Nabors	Vacca	
Dominick	Jackson			—29

Nays: —0

BILLS ON THIRD READING RESUMED

SPECIAL ORDERS

The Senate proceeded to consideration of the special, paramount and continuing order of business for today, the first of which was the Bill:

S. 12. Proposing an amendment to the Constitution of Alabama providing for annual sessions of the legislature and regulating the length of such sessions.

And said Bill, S. B. 12, was then read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment:

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Lindsey	Pelham
Albea	Folsom	Lolley	Pierce
Bailes	Givhan	McCarley	Skidmore
Branyon	Goodwyn	McDermott	Torbert
Childs	Harris	Morrow	Turner
Clark	Hawkins	Nabors	Vacca

—27

Nays: —0

The Bill:

S. 70. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

was taken up.

Mr. McCarley moved that further consideration of the Bill, S. B. 70, be postponed until the next Legislative Day. On motion of Mr. Lindsey, the motion to postpone was laid on the table.

Yeas 20; Nays 6.

Yeas:

Messrs.:	Clark	Hawkins	Nabors
Adams	Dominick	Lindsey	Pelham
Albea	Engel	Lolley	Pierce
Bailes	Folsom	McDermott	Skidmore
Branyon	Givhan	Morrow	Vacca
Childs			

—20

Nays:

Messrs.:	Harris	McCarley	Oden
Goodwyn	Leonard	O'Bannon	

—6

And said Bill, S. B. 70, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 19; Nays 7.

Yeas:

Messrs.:	Childs	Lindsey	Pelham
Adams	Clark	Lolley	Pierce
Albea	Dominick	McDermott	Skidmore
Bailes	Folsom	Morrow	Turner
Branyon	Givhan	Nabors	Vacca

—19

Nays:

Messrs.:	Goodwyn	Hawkins	O'Bannon
Engel	Harris	McCarley	Oden

—7

The Bill:

S. 108. To amend Code of Alabama 1940, Title 35, Section 102, which provides exemptions from state toll bridge and tunnel fees, and automobile fees to certain members of the state militia, so as to extend the exemption relative to automobile fees to noncommissioned officers and enlisted men in the active national guard of Alabama.

was taken up.

The Standing Committee on Public Buildings and Grounds reported the following amendment to the Bill, S. B. 108, to-wit:

PUBLIC BUILDINGS AND GROUNDS COMMITTEE
AMENDMENT TO S. B. 108

AMEND S. B. 108 by striking therefrom the words and figures "Section 102" as they appear in caption in said bill and insert in lieu thereof the words and figures "Section 101."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Oden
Adams	Folsom	McCarley	Pelham
Albea	Givhan	McDermott	Pierce
Bailes	Goodwyn	Morrow	Skidmore
Branyon	Harris	Nabors	Turner
Childs	Hawkins	O'Bannon	Vacca
Clark			

—24

Nays: —0

And said Bill, S.B. 108, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Oden
Adams	Folsom	Lolley	Pelham
Albea	Givhan	McCarley	Pierce
Bailes	Goodwyn	McDermott	Skidmore
Branyon	Harris	Morrow	Turner
Childs	Hawkins	O'Bannon	Vacca
Clark			—24

Nays: —0

The Bill:

S. 209. To implement, when ratified, the provisions of that certain Constitutional Amendment proposed by the Legislature of Alabama in ..... adopted at the 1969 Regular Session of the Legislature of Alabama and that authorizes the State, in promoting and aiding the commercial flow of agriculture products within the State or in aid of commerce and use of the waterways of the State, to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating within the State or along navigable streams and waterways now or hereafter existing within the State all manner of elevators, facilities, warehouses, docks, water and rail terminals and other structures and facilities and improvements needful for the convenient use of the same, and to incur indebtedness and issue bonds for said purpose; to implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 262 adopted at 1967 Regular Session of the Legislature of Alabama; to implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 151 adopted at the 1957 Regular Session of the Legislature of Alabama; to authorize the State to engage in such works of internal improvement at an additional cost of not exceeding $5,000,000; to designate the Alabama State Docks Department and any department or agency of the State that may succeed to its functions as the Agency to undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of said Department in connection therewith; to authorize the State to become indebted to the extent of not exceeding $5,000,000 in principal amount to carry out the provisions of this Act and to issue its interest bearing direct general obligation bonds therefor; to prescribe in general the terms of such bonds and the method and manner of the sale and issuance thereof; to exempt the same and the interest thereon from taxation; to provide for the payment for any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide for the refunding of any bonds issued under this Act; to provide for investment of the proceeds of any bonds issued hereunder and other funds received under this Act, pending the need for such funds; to provide for the use of funds obtained from the operation of improvements constructed with proceeds of any bonds issued hereunder; to make appropriation for payment of the principal and interest on bonds issued under the 1969 Docks Amendment, the 1967 Docks Amendment and the 1957 Docks Amendment from the General Fund of the State; to provide for the acquisition of property for the purpose of this Act and for the exercise of the power of eminent domain with regard thereto; to prescribe the powers and duties of the Governor, the said Department and other officers of the State in carrying out the provisions of this Act; to authorize the said Department to fix and collect reasonable rates and charges for services rendered by, and for use of, facilities established pursuant to this Act; to require the maintenance of records of the total

cost of, the gross revenues from, and the expenses of operating, each unit of development acquired, constructed, or operated pursuant to the provisions of this Act, or Act No. 264 adopted at the 1967 Regular Session of the Legislature, Act No. 311 adopted at the 1957 Regular Session of the Legislature, Act No. 98 adopted at the 1959 Regular Session of the Legislature, Act No. 716 adopted at the 1961 Regular Session of the Legislature, or Act No. 192 adopted at the 1963 Regular Session of the Legislature; and to provide that surplus revenues derived from operation of the State Docks facilities at the Port of Mobile shall be used to meet operating deficits of the facilities constructed under said 1969 Docks Amendment, said 1967 Docks Amendment, or said 1957 Docks Amendment.

was taken up.

Mr. Nabors offered the following amendment to the Bill, S. B. 209, to-wit:

AMENDMENT TO S. B. 209

Amend S. B. 209 by striking the figures $5,000,000.00 wherever they appear and insert in lieu thereof the figures $10,000,000.

Which was adopted.

Yeas 23; Nays 3.

Yeas:

Messrs.:	Folsom	Lolley	Oden	
Adams	Givhan	McCarley	Pelham	
Albea	Goodwyn	McDermott	Pierce	
Childs	Harris	Morrow	Skidmore	
Clark	Hawkins	Nabors	Turner	
Engel	Lindsey	O'Bannon	Vacca	
				—23

Nays:

Messrs.:	Bailes	Branyon	Dominick	
				—3

And said Bill, S. B. 209, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 1.

Yeas:

Messrs.:	Engel	Lindsey	Oden	
Adams	Folsom	Lolley	Pelham	
Albea	Givhan	McCarley	Pierce	
Bailes	Goodwyn	McDermott	Skidmore	
Branyon	Harris	Morrow	Turner	
Childs	Hawkins	Nabors	Vacca	
Clark				—24

Nay: Mr. Dominick —1

The Bill:

S. 210. To propose an amendment to the Constitution of Alabama authorizing the State to engage in works of internal improvement in promoting and aiding the commercial flow of agricultural products within the

State or to engage in works of internal improvement along navigable waterways within the State; authorizing the State to become indebted for not exceeding $5,000,000 aggregate principal indebtedness in connection therewith and authorizing pledge of the faith and credit of the State to secure the repayment of such indebtedness and interest thereon.

was taken up.

Mr. Nabors offered the following amendment to the Bill, S. B. 210, to-wit:

AMENDMENT TO S. B. 210

Amend S. B. 210 by striking the figures "$5,000,000.00" wherever they appear and inserting in lieu thereof the figures "$10,000,000."

Which was adopted.

Yeas 23; Nays 1.

Yeas:

Messrs.:	Clark	Hawkins	Nabors	
Adams	Engel	Lindsey	Pelham	
Albea	Folsom	Lolley	Pierce	
Bailes	Givhan	McCarley	Skidmore	
Branyon	Goodwyn	McDermott	Turner	
Childs	Harris	Morrow	Vacca	
				—23

Nay: Mr. Dominick —1

And said Bill, S. B. 210, as thus amended, was then read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment:

Yeas 23; Nays 1.

Yeas:

Messrs.:	Engel	Lindsey	Oden	
Adams	Folsom	Lolley	Pelham	
Albea	Givhan	McCarley	Pierce	
Branyon	Goodwyn	McDermott	Skidmore	
Childs	Harris	Morrow	Turner	
Clark	Hawkins	Nabors	Vacca	
				—23

Nay: Mr. Dominick —1

MOTION TO ADJOURN LOST

At 7:10 P.M., Mr. Morrow moved that the Senate adjourn until Friday, June 13, 1969, at 11 o'clock A.M., which motion was lost.

Yeas 9; Nays 14.

Yeas:

Messrs.:	Hawkins	Morrow	Oden	
Adams	McCarley	O'Bannon	Vacca	
Bailes	McDermott			—9

Nays:

Messrs.:	Engel	Lindsey	Pierce	
Branyon	Folsom	Lolley	Skidmore	
Childs	Goodwyn	Nabors	Turner	
Clark	Harris	Pelham		—14

BILLS ON THIRD READING RESUMED

The Bill:

S. 225. Relating to the destruction of public records; authorizing the state treasurer to destroy certain cancelled state warrants and the journals pertaining to such warrants; and repealing Act No. 589, H. 141, of the Regular Session of 1957 (Acts of 1957, p. 826) and all other conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 23; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	O'Bannon	
Adams	Engel	Lindsey	Oden	
Bailes	Folsom	Lolley	Pelham	
Branyon	Givhan	McCarley	Pierce	
Childs	Goodwyn	McDermott	Turner	
Clark	Harris	Nabors	Vacca	
				—23

Nays: —0

The Bill:

S. 226. To amend Code of Alabama 1940, Title 55, Section 223, which relates to the records of the state treasurer relative to cancelled coupons on coupon bonds issued by the State so as to require and regulate the making and auditing of certain records relative to coupon bonds and the destruction of certain cancelled bonds.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 20; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Oden	
Adams	Folsom	McCarley	Pelham	
Branyon	Givhan	McDermott	Pierce	
Childs	Goodwyn	Nabors	Skidmore	
Clark	Lindsey	O'Bannon	Turner	
Dominick				—20

Nays: —0

The Bill:

S. 227. To provide a method for indication of the Governor's approval of vouchers or accounts payable by the State Comptroller, which require the Governor's approval, by method of certification of the department director or executive officer requesting payment.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pelham	
Adams	Folsom	McCarley	Pierce	
Albea	Givhan	McDermott	Skidmore	
Branyon	Goodwyn	Nabors	Turner	
Childs	Harris	O'Bannon	Vacca	
Dominick	Lindsey	Oden		—22

Nays: —0

BILL RECONSIDERED

On motion of Mr. Harris, the Senate reconsidered the vote by which the Bill, S. B. 225, was passed.

On motion of Mr. Harris, the Senate reconsidered the vote by which the Bill, S. B. 225, was ordered to its third reading.

Mr. Harris then offered the following amendment to the Bill, S. B. 225, to-wit:

AMENDMENT TO S. B. 225

Amend Section 1 by deleting therefrom the words "five years," and substituting therefor the words "six years."

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Oden	
Adams	Engel	Lolley	Pelham	
Albea	Folsom	McCarley	Pierce	
Branyon	Givhan	McDermott	Skidmore	
Childs	Goodwyn	Nabors	Turner	
Clark	Harris	O'Bannon	Vacca	
				—23

Nays: —0

And said Bill, S. B. 225, as thus amended, was again read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pelham	
Adams	Folsom	McCarley	Pierce	
Albea	Givhan	McDermott	Skidmore	
Childs	Goodwyn	Nabors	Turner	
Clark	Harris	O'Bannon	Vacca	
Dominick	Lindsey	Oden		—22

Nays: —0

BILLS ON THIRD READING RESUMED

The Bill:

S. 228. To authorize all departments and agencies of the State of Alabama to execute and enter into lease sale contracts for the procurement of materials, machinery and other equipment; to require that such contracts be subject to and comply with the provisions of Chapter 4, Title 55 and Chapter 21, Title 55, Code of Alabama 1940 (Recompiled 1958).

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Oden	
Adams	Engel	Lindsey	Pelham	
Albea	Folsom	Lolley	Pierce	
Bailes	Givhan	McCarley	Skidmore	
Branyon	Goodwyn	McDermott	Turner	
Childs	Harris	Nabors	Vacca	
Clark				—24

Nays: —0

The Bill:

S. 238. To amend Title 55, Section 84, Code of Alabama 1940.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 18; Nays 4.

Yeas:

Messrs.:	Childs	Hawkins	Pierce	
Adams	Clark	Lindsey	Skidmore	
Albea	Engel	Lolley	Turner	
Bailes	Folsom	McDermott	Vacca	
Branyon	Givhan	Nabors		—18

Nays:

Messrs.:				
Dominick	Harris	McCarley	Pelham	
				—4

The Bill:

S. 239. To regulate the execution of certain public contracts for the sale of state-owned tangible personal property or standing timber by competitive bid; to provide for disposition of proceeds from such sales; and prescribe penalties.

was taken up.

Mr. Pierce offered the following amendment to the Bill, S. B. 239, to-wit:

AMENDMENT TO SENATE BILL 239

Amend Section 7 of said bill so as to read as follows:

"Section 7. All property sold under the provisions of this act shall be paid for by the purchaser or his representative at the time of removal and

said removal shall be not later than seven (7) days after the awarding of the contract unless extended in writing by the Finance Department Director; provided however, the time limit of seven (7) days shall not be applicable to sales of standing timber.

Mr. McCarley moved that the amendment offered by Mr. Pierce be laid on the table, and the motion to table was lost.

And said amendment to the Bill, S. B. 239, was then adopted by the Senate.

Yeas 15; Nays 4.

Yeas:

Messrs.:	Folsom	Lindsey	Pelham	
Adams	Givhan	Lolley	Pierce	
Branyon	Goodwyn	McDermott	Turner	
Engel	Harris	Nabors	Vacca	
				—15

Nays:

Messrs.:				
Albea	Bailes	Hawkins	McCarley	
				—4

Mr. Harris offered the following amendment to the Bill, S. B. 239, as amended, to-wit:

AMENDMENT TO S. B. 239

Amend Section 1 by adding thereto subsection (a) as follows:

"(a) Upon written request the State Finance Director shall furnish to any person a description of the article or articles to be sold together with a statement as to the terms of the proposed sale, and, in addition if the request specifies, the Director shall furnish the same information to such person making such request with respect to all future sales of articles of the same class."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	O'Bannon	
Adams	Folsom	McCarley	Pelham	
Albea	Givhan	McDermott	Pierce	
Bailes	Goodwyn	Morrow	Turner	
Branyon	Harris	Nabors	Vacca	
Dominick	Hawkins			—21

Nays: —0

And said Bill, S. B. 239, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	O'Bannon	
Adams	Engel	Lindsey	Pelham	
Albea	Folsom	McCarley	Pierce	
Bailes	Givhan	McDermott	Turner	
Branyon	Goodwyn	Morrow	Vacca	
Childs	Harris	Nabors		—22

Nays: —0

The Bill:

S. 240. To provide for the voiding of state warrants outstanding at the close of the fiscal year next following the fiscal year in which they were issued, and for the barring of the claims based thereon.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 20; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	O'Bannon	
Adams	Engel	McCarley	Pelham	
Albea	Givhan	McDermott	Pierce	
Bailes	Goodwyn	Morrow	Turner	
Branyon	Harris	Nabors	Vacca	
Childs				—20

Nays: —0

The Bill:

S. 249. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding $4,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the payment of the costs of the work required of the Alabama State Docks as the local sponsoring agency for the improvement in Mobile Harbor, Alabama, known as the Theodore Ship Channel project or for the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding $2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought

to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 17; Nays 1.

Yeas:

Messrs.:	Engel	Lolley	Pelham	
Adams	Folsom	McCarley	Pierce	
Albea	Givhan	McDermott	Turner	
Branyon	Goodwyn	Oden	Vacca	
Clark	Lindsey			—17

Nay: Mr. Nabors —1

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate bills, respectively, and finds same correctly enrolled, to-wit:

S. 51. To provide that all debts incurred under the Acts of Congress commonly known as the National Housing Act and the Acts providing for Veterans' Benefits, as now existing or as they may hereafter be amended or supplemented, shall be legal investments for banks, insurance companies, savings and loan associations, trustees, fiduciaries of all types and for any other person, firm or corporation.

Also:

S. 52. To exempt debts incurred under the Acts of Congress, commonly known as the National Housing Act and the Acts providing for Veterans' Benefits, as now existing or as they may hereafter be amended or supplemented, from usury and interest restrictions of this State.

Also:

S. 53. To permit corporations to pay a rate or rates of interest not to exceed 15 per centum (15%) per annum on the loan or forbearance of money having an original principal balance of Ten Thousand ($10,000.00) Dollars or more and less than One Hundred Thousand ($100,000.00) Dollars, and to pay a rate or rates of interest on the loan or forbearance of money having an original principal balance of not less than One Hundred Thousand ($100,000.00) Dollars as that corporation may determine without regard to any provision of law prescribing or limiting interest rates, to specify certain evidences of indebtedness to be included in the term "original princi-

pal balance", and denying to such corporations and to certain others who may become liable on such a loan or forbearance the right to claim or raise the defense of usury.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

ADJOURNMENT

At 8:10 P.M., on motion of Mr. Turner, pending further consideration of S. B. 82, the Senate adjourned until Friday, June 13, 1969, at 11 o'clock A.M.

ELEVENTH LEGISLATIVE DAY

FRIDAY, JUNE 13, 1969

(The Senate was not in session on the Tenth Legislative Day).

The Senate met pursuant to adjournment, President Pro Tempore Goodwyn presiding.

PRAYER

The Session was opened with prayer by Father Edward Markley, St. Bernard's College, Cullman, Alabama.

ROLL CALL

Present:

Messrs.:	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	Lolley	Radney	
Branyon	Gilmore	McCarley	Skidmore	
Carr	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jackson	Oden		—34

JOURNAL

On motion of Mr. Branyon, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Ninth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Ninth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Lolley, leave of absence was granted Mr. Adams for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. O'Bannon:

S. 464. To prescribe a summary judgment rule to apply in the circuit courts and in courts of full like jurisdiction in all suits of a civil nature.

Committee on Judiciary.

By Mr. Harris:

S. 465. To amend Code of Alabama 1940, Title 37, Section 540, which relates to the power of certain cities, classified according to population, to abate or reduce assessments made for public improvements, in order to make this section applicable to other cities, also classified according to population.

Committee on Local Legislation No. 1.

By Mr. Carr:

S. 466. Relating to counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; to amend Act No. 628, H. 820, Regular Session 1967 (Acts 1967, p. 1431), an act which provides further for clerk hire allowances for certain county officers, and repeals conflicting laws, amending such act in relation to the clerk hire allowance for the circuit clerk.

Committee on Local Legislation No. 1.

By Mr. Radney:

S. 467. Relating to Tallapoosa County; to abolish the office of county treasurer and to provide for the selection of a county depository, to repeal Act No. 83, H. 266, Regular Session 1935 (Local Acts 1935, p. 19) which creates the office of county treasurer for Tallapoosa County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA,
COUNTY OF TALLAPOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tallapoosa County; to abolish the office of county treasurer and to provide for the selection of a county depository, to repeal Act No. 83, H. 266, Regular Session 1935 (Local Acts 1935, p. 19) which creates the office of county treasurer for Tallapoosa County.

Be It Enacted by the Legislature of Alabama:

Section 1. The office of county treasurer for Tallapoosa County, as provided for by Act No. 83, H. 266, Regular Session 1935 (Local Acts 1935, p. 19), entitled "An Act To Create And Establish The Office of County Treasurer of Tallapoosa County, To Provide For His Election, Fix The Term Of Office, To Prescribe His Duties And Fix His Compensation" shall be abolished upon the expiration of the term of the incumbent county treasurer. The court of county commissioners or other like governing body of said county shall on or before the first Monday in December of each year, select as a county depository an incorporated state or national bank or banks in the county as provided in Article 2, Chapter 3, Title 12, Code of Alabama 1940, as amended, and said depository shall be in lieu of a county treasurer.

Section 2. All laws and parts of laws in conflict with this act are hereby repealed, and Act No. 83, H. 266, Regular Session 1935 (Local Acts 1935, p. 19) is specifically repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Alexander City Outlook, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said

notice having appeared in the issues of said paper on May 15, May 22, May 29, and June 5, all in the year 1969.

J. C. HENDERSON.

Sworn to and subscribed before me June 5, 1969.

VONCILLE M. DEAN,
Notary Public.

My commission expires January 18, 1971.

By Mr. Radney:

S. 468. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Tallapoosa County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Tallapoosa County.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, and shall become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

PROPOSED AMENDMENT

"The Legislature may from time to time, by general or local laws applicable to or operative in Tallapoosa County, fix, regulate, and alter the fees, commissions, allowances, and salaries, including the method and basis of their compensation, to be charged or received by the judge of probate, sheriff, tax assessor, tax collector, and clerk and register of the circuit court of Tallapoosa County; and may place any or all of such officers on a salary and provide for the fees, commissions, allowances, and percentages collectible by such officers to be paid into the treasury from which their salaries are paid. Provided, that no law changing the method or basis for compensating such officers shall become effective unless it is approved by a majority of the qualified electors of the county who vote thereon at a referendum election held for such purpose."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournament of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17, of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the state. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Alexander City Outlook, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 15, May 22, May 29, and June 5, all in the year 1969.

J. C. HENDERSON.

Sworn to and subscribed before me June 5, 1969.

VONCILLE M. DEAN.
Notary Public.

My commission expires January 18, 1971.

By Mr. Radney:

S. 469. To alter, rearrange and extend the boundary of the City of Alexander City, Alabama, so as to include within the corporate limits thereof certain additional territory located in Section 22 Township 23 North, Range 21 East, Tallapoosa County, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

Let it be known that the following act will be introduced in the Legislature of the State of Alabama at its regular 1969 session.

AN ACT

To alter, rearrange and extend the boundary of the City of Alexander City, Alabama, so as to include within the corporate limits thereof certain additional territory located in Section 22, Township 23 North, Range 21 East, Tallapoosa County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary of the City of Alexander City, Alabama, be and the same is hereby altered, rearranged, and extended so as to include within the corporate limits of said city certain additional territory described as follows, to-wit:

The east half of the Northeast Quarter of Section 22 and all that part of the Southeast Quarter of the Northwest Quarter of Section 22 lying east of the Convict Camp Road, all being in Township 23 North, Range 21 East, Tallapoosa County, Alabama.

Section 2. That this act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, J. C. Henderson Publisher, of the Alexander City Outlook published weekly at Alexander City, Ala. do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular

and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated April 24, 1969, and ending with the issue dated May 15, 1969.

J. C. HENDERSON.

Subscribed and sworn before me this 15th day of May, 1969.

VONCILLE M. DEAN,
Notary Public.

My commission expires January 18, 1971.

By Mr. Radney:

S. 470. To change the method of compensating certain officers of Tallapoosa County; placing such officers on a salary basis at the expiration of certain terms and providing for the operation of their offices on such basis; providing that this act shall be subject to the ratification of a certain amendment to the Constitution and the approval of he voters of Tallapoosa County voting thereon.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To change the method of compensating certain officers of Tallapoosa County; placing such officers on a salary basis at the expiration of certain terms and providing for the operation of their offices on such basis; providing that this act shall be subject to the ratification of a certain amendment to the Constitution and the approval of the voters of Tallapoosa County voting thereon.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Tallapoosa County shall be entitled to receive compensation as follows:

(a) For the probate judge, a salary of $16,000.00 per annum;

(b) For the tax assessor, a salary of $12,000.00 per annum;

(c) For the tax collector, a salary of $12,000.00 per annum;

(d) For the clerk of the circuit court, a salary of 12,000.00 per annum;

(e) For the sheriff, a salary of $15,000.00 per annum.

Such salaries shall be in lieu of all fees, commissions, allowances, percentages and other charges heretofore paid such officers, and shall be payable in equal monthly installments out of the general fund of the county.

Section 2. All fees, commissions, allowances, percentages and other charges heretofore collected for the use of said officers, including any remuneration received by the tax assessor and tax collector in relation to assessing and collecting municipal taxes, shall hereafter be collected and paid into the general fund of the county.

Section 3. The court of county commissioners, board of revenue or other like governing body of Tallapoosa County shall provide the

probate judge, the tax assessor, the tax collector, the clerk of the circuit court and the sheriff with such office personnel, clerks and deputies and such quarters, books, stationery, furniture, equipment, postage and other such conveniences and supplies as such governing body may consider necessary for the proper and efficient conduct of their respective offices. Each officer shall appoint his own clerks and assistants who shall serve at his pleasure, and their compensation shall be fixed by the County governing body. All such compensations shall be paid in equal monthly installments out of the general fund of the county.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective as to each officer named herein upon the expiration of the term for which each such officer is elected at the general elections to be held in November 1970, and 1972 respectively, provided an amendment to the Constitution authorizing the legislature to change the method of compensating such officers shall have been ratified and if a majority of the qualified electors of Tallapoosa County who vote thereon vote in favor of the adoption of such amendment when it is submitted. If a majority of the qualified electors of Tallapoosa County who vote thereon vote against the adoption of the amendment, this act shall be of no further effect even though the amendment to the Constitution is ratified.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Alexander City Outlook, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 15, May 22, May 29, and June 5, all in the year 1969.

J. C. HENDERSON.

Sworn to and subscribed before me June 5, 1969.

VONCILLE M. DEAN,
Notary Public.

My commission expires January 18, 1971.

By Messrs. Gilmore, Pierce, Giles, Turner, Clark, Cooper, Oden and Torbert:

S. 471. To further amend Sections 6 and 9 of Act No. 343, Acts of 1957, Vol. 1, p. 1452, as amended, entitled "An Act to provide further for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of any state department, board, bureau, commission, committee, institution, corporation, authority, or office and prescribing penalties."

Committee on Finance and Taxation.

By Mr. Albea:

S. 472. To amend Section 17 of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions, registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act, duties of the director of the State Department of Conservation; fee schedule for vessel registration, term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered, establishing exemptions from numbering provisions, requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

Committee on Forestry and Conservation.

By Mr. Albea:

S. 473. To amend Section 3 (1) of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, as amended by Act No. 878, Acts of Alabama 1961, page 1377, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act, duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

Committee on Forestry and Conservation.

By Mr. Albea:

S. 474. To amend Section 6 (1) of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, as amended by Act No. 878, Acts of Alabama 1961, page 1377, entitled, "An Act Relating to the registration of vessels and

their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act, duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

Committee on Forestry and Conservation.

By Mr. Oden:

S. 475. To create and provide for the establishment of a Division of Management Services in the State Department of Finance, for the purpose of coordinating and centralizing state government activities in the fields of data processing, printing and photography and audio-video arts and to provide a uniform system of records retention and disposal; to provide for and regulate the employment of necessary personnel for such division; to prescribe the functions and duties of the division and regulate the manner of performing them; to provide for the transfer of certain personnel and equipment from other state departments, boards, bureaus, divisions and agencies to the Division of Management Services; and to create and provide for a data processing committee to serve as an advisory and policy making committee relative to the coordination and centralizing of data processing equipment and systems in state service.

Committee on Public Roads and Highways.

By Messrs. Cooper and Vacca:

S. 476. To designate the State Board of Health as the responsible agency and to authorize it to establish and enforce rules and regulations for training, licensing and related requirements for ambulance operators, attendants, drivers and dispatchers; to establish and enforce rules and regulations for the operation, design, equipment and inspection and licensing of ambulances; and to establish requirements for the operation and coordination of ambulances; to provide for penalties for violations of rules and regulations established hereunder; to require a permit or license fee and to appropriate said fees to the State Board of Health for enforcing and administering this act; and to provide for revocation or suspension of such licenses.

Committee on Public Health.

By Mr. Cooper:

S. 477. To make it unlawful and constitute a misdemeanor to build, maintain or use an insanitary sewage collection, treatment and disposal facil-

ity within the State, but excluding certain plumbing within municipalities; to authorize the State Board and/or County Boards of Health to adopt rules and regulations for the administration of this Act; to authorize the State Board of Health and/or County Boards of Health to require the installation of required type and number of facilities; to require the submission of plans and specifications applying to sewage collection, treatment and disposal to the State Board of Health and/or County Boards of Health; provides for the approval of plans and specifications and issuance of permits for construction; to repeal Title 22, Section 73 Code of Alabama 1940 and Code of Alabama Recompiled 1958; and to provide penalties for violation of this Act, and certain rules and regulations.

Committee on Public Health.

By Mr. Cooper:

S. 478. To provide for voluntary and temporary or emergency admissions of patients at certain state hospitals and facilities maintained for treatment of the mentally ill, and to repeal conflicting laws.

Committee on Public Health.

By Mr. Cooper:

S. 479. To amend Title 22, Section 236, Code of Alabama 1940, as amended, by requiring a pharmacist to maintain separate prescription files for narcotic prescriptions.

Committee on Public Health.

By Mr. Cooper:

S. 480. To amend Title 22, Section 256 and Section 258, Code of Alabama 1940, to include a new synthetic equivalent of cannabis (tetrahydrocannabinol) and to revise penalties.

Committee on Public Health.

By Mr. Cooper:

S. 481. To amend Code of Alabama 1940, Title 41, Sections 211 and 221, which relate to offenses concerning county officers.

Committee on Judiciary.

By Mr. Cooper:

S. 482. To amend Section 1 of Act No. 208, Acts of Alabama 1966 Special Session, page 256, approved August 26, 1966 entitled: "An Act to authorize, regulate and provide for the payment by the State of Alabama of compensation to the surviving dependents of certain peace or law enforcement officers and certain firemen who are killed or whose death results from an injury received in the course of his employment and while he is engaged in the performance of his duties; to designate the state board of adjustment as the state agency or awarding authority to hear, determine and order the payment of claims for compensation hereunder; to make an appropriation for payment of awards."

Committee on Finance and Taxation.

By Mr. Cooper:

S. 483. To further amend Title 22, Section 255, Code of Alabama 1940, as last amended by Section 5 of Act No. 397, Acts of Alabama 1957 page 557, approved September 4, 1957, by changing a penalty from a misdemeanor to a felony.

Committee on Judiciary.

By Mr. Cooper:

S. 484. To amend Section 5 of Act No. 586, Acts 1957, Volume II, page 823, approved September 18, 1957, entitled, "An Act further regulating the traffic in narcotic drugs by forbidding unauthorized transportation or conveying of such drugs and providing that any vehicle, boat, aircraft or other conveyance used in the illegal carrying or transportation of narcotic drugs shall be contraband and forfeited to the State of Alabama in the manner prescribed in this Act."

Committee on Judiciary.

By Messrs. McDermott and Engel:

S. 485. To amend an Act of the General Assembly of Alabama approved February 15, 1876, and entitled "An Act to Regulate Public Schools in the County of Mobile" as last amended by Act of the Legislature of Alabama approved September 14, 1963, by amending Section 5 thereof by including, in the powers of the Board of School Commissioners of Mobile County, the power to employ and pay guards, watchmen, security personnel, or other functionaries, by whatever name called, to preserve the grounds, school buildings and other structures of any character; that belong to or are in the possession of and are under the control of the Board of School Commissioners of Mobile County; from trespass, vandalism, theft, fire or damage of any character; whether or not of like kind with those just stated; and to invest the said guards, watchmen, security personnel, or other functionaries with the right to use such force as may be necessary in the performance of their duties under and pursuant to their employment under the authority of this Act; and the power to let any property which it may own in fee simple; and any property of which, though not owned by it, the Board shall have the statutory right and power of direction, management and control; for any term or period that may seem to the Board, in the exercise of a sound discretion, proper, not to exceed 99 years, provided however, that the Barton Academy Buildings and property are excepted from the said power to let, and provided further that if the lease be for a term exceeding 50 years and the value of such property shall exceed $5,000 the lease, to be valid, shall receive the unanimous vote of the said Board and be approved by the Judge of Probate of Mobile County; and provided further that the restriction touching the necessity for unanimous vote of the Board and approval by the Probate Judge shall not apply to leases that may have been made prior to the first day of June, 1969, nor to any leases that may be made to land in Section 16 in Township 4 South of Range 2 West in Mobile County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

To Whom It May Concern:

Pursuant to constitutional requirement, notice is hereby given that at the regular session of the Legislature of the State of Alabama be-

ginning in May 1969, a bill will be introduced to add, to the powers now possessed by the Board of School Commissioners of Mobile County, the following powers.

To employ and pay guards, watchmen, security personnel, or other functionaries, to preserve the grounds, school buildings and other structures of any character; that belong to or are in the possession of and are under the control of the Board of School Commissioners of Mobile County; from trespass, vandalism, theft, fire or damage of any character, and to invest them with the right to use such force as may be necessary in the performance of their duties under and pursuant to their employment under the authority of this Act.

To let property—except the Barton Academy buildings and property —either owned in fee simple or over which the Board has the statutory right of direction, management and control, for a term not to exceed ninety nine (99) years, provided that if the value of such property exceeds five thousand ($5,000) dollars, and the lease be for a term exceeding fifty (50) years, its making must receive the unanimous vote of the Board and be approved by the Judge of Probate of Mobile County, and provided further that the said restrictive requirements as to long term leases shall have no application to leases made prior to the first day of June, 1969.

E E Koch being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register May 17 24 31 June 7 1969

E E KOCH.

Sworn to and subscribed before me this 7 day of June 1969

W. F. EGAN,
Notary Public.

By Mr. Gilmore:

S. 486. To amend further Code of Alabama 1940, Title 55, Section 305, which relates to the establishment of employment registers under the merit system law for the various classes of positions in the classified service of the State of Alabama, in order to extend the veterans preference therein provided to persons who served honorably in the armed forces of the United States at any time during the period from January 31, 1955 through December 31, 1963 and under certain conditions to the wives and widows of persons who served honorably during this period.

Committee on Judiciary.

By Messrs. Radney, Skidmore and Albea:

S. 487. Relating to rights of married women; providing for and giving wives equal rights with husbands by allowing a wife to bring an action for loss of consortium, companionship and services of her husband and for recovery of reasonable value of nursing care or services rendered by her where the husband is injured by wrongful act, omission, negligence, or wanton conduct of another.

Committee on Judiciary.

By Messrs. McDermott and Jackson:

S. 488. To change the membership of the Alabama Water Improvement Commission by amending Section 3 of Act No. 574, Page 1058, Acts of Alabama 1965 Regular Session, approved August 26, 1965, which created the present Alabama Water Improvement Commission.

Committee on Judiciary.

By Mr. O'Bannon:

S. 489. To require all dealers of scrap metal to obtain a sworn affidavit from the seller prior to the purchase of any copper or copper alloy metal.

Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 22. Relative to Ninety-Ninth Anniversary of the Annual Masonic Day Celebration to be held in Florala, Alabama, on June 24, 1969, which is Saint John's Day.

Also:

S. J. R. 8. Relative to Legislative Advisory Council of the Southern Regional Education Board for the 18th annual Legislative Work Conference on Southern Regional Education for July 10–11 at the Velda Rose Towers, Hot Springs, Ark.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 24. Mourning the death of Judge James A. Hare of Selma, Alabama.

Also:

H. J. R. 25. Commanding Robert Joseph Protivinsky for his gallantry and courage in rescuing five persons off Dauphin Island.

Also:

H. J. R. 26. Inviting the Honorable Lister Hill to speak to a joint meeting of the Legislature.

Also:

H. J. R. 27. Commending Colonel Thomas P. Stafford, Commander John W. Young and Commander Eugene A. Cernan for their bravery, dedication and skill in the successful flight of Apollo 10.

Also:

H. J. R. 28. Saluting Judge John David Snodgrass upon receipt of the 1969 Good Government Award of the Huntsville Junior Chamber of Commerce.

Also:

H. J. R. 29. Paying tribute to the Honorable Newman M. Yielding upon receiving the honorable degree of Doctor of Laws from Birmingham Southern College.

Also:

H. J. R. 33. Expressing regret upon the death of Mr. Frank C. Drane and extending sympathy to members of his family.

Also:

H. J. R. 34. Expressing regret upon the death of Mr. Claude Taylor, Jr., of Tuscaloosa.

Also:

H J. R. 35. Expressing regret upon the death of Mr. Charles Davis, Sr., of Tuscaloosa.

Also:

H. J. R. 20. Congratulating the League of Women Voters upon the 50th Anniversary of its founding.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 37. Relative to the Ninety-ninth Anniversary of the Annual Masonic Day Celebration to be held in Florala, Alabama.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been pub-

licly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 38. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING, That when the two Houses adjourn today the House adjourns to meet again on Thursday, June 12, 1969, and when the House adjourns on Thursday, June 12, 1969, they adjourn to meet again on Tuesday June 17, 1969, and when the Senate adjourns today they adjourn to meet again on Friday June 13, 1969, and when the Senate adjourns on Friday June 13, 1969, they adjourn to meet again on Tuesday June 17, 1969.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Lolley, the Rules were suspended and the Resolution, H. J. R. 38, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to the State Sovereignty Commission.

Respectfully submitted,

ROBERT M. CLECKLER,
Executive Secretary.

JUNE 13, 1969

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am submitting to you appointments of members of the State Sovereignty Commission which were made by Governor Lurleen B. Wallace on January 23, 1967:

Edmund Blair	—Pell City, Alabama
James H. Faulkner	—Birmingham, Alabama
Jack Giles	—Huntsville, Alabama

Walter C. Givhan —Safford, Alabama
Col. C. E. Hornsby, Jr. —Centreville, Alabama
C. H. Lancaster, Jr. —Montgomery, Alabama
Joseph S. Mead —Birmingham, Alabama

The above are all re-appointments for the term expiring in January 1971.

These appointments are submitted to you for your confirmation, or for such action as to you may seem right and proper.

Respectfully,

ALBERT P. BREWER,
Governor.

JUNE 13, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the State Sovereignty Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Manley and Pruitt:

H. 417. Providing expense allowances for members of the governing bodies of counties having populations of not less than 16,500 nor more than 17,500, to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

Also:

By Messrs. Merrill, Lybrand, and Burgess:

H. 433. Relating to counties having a population of not less than 76,000 and not more than 96,000 according to the last and any subsequent federal decennial census; to authorize county governing bodies to provide clerk hire allowances for the offices of the county solicitor or deputy district attorney.

Also:

By Mr. Lybrand:

H. 436. Relating to counties having populations of not less than 76,000 nor more than 96,000; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

Also:

By Messrs. Foshee and Jackson (F):

H. 448. Relating to the office of the sheriff of Covington County; providing for the compensation of the chief deputy sheriff and for

the appointment, number, duties and compensation of additional deputies; repealing conflicting laws and specifically repealing the following acts relating to the salary of the chief deputy sheriff and to the number and compensation of the additional deputies: Act No. 269, H. 615; Act No. 270, H. 616 and Act No. 382, H. 75 all of the Regular Session 1953 (Acts 1953, pp. 338; 339; 452); Act No. 46, H. 205 and Act No. 47, H. 206 both of the Regular Session 1957 (Acts 1957, p. 90).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF COVINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the office of the sheriff of Covington County; providing for the compensation of the chief deputy sheriff and for the appointment, number, duties and compensation of additional deputies; repealing conflicting laws and specifically repealing the following acts relating to the salary of the chief deputy sheriff and to the number and compensation of the additional deputies: Act No. 269, H. 615; Act No. 270, H. 616 and Act No. 382, H. 75 all of the Regular Session 1953 (Acts 1953, pp. 338; 339; 452); Act No. 46, H. 205 and Act No. 47, H. 206 both of the Regular Session 1957 (Acts 1957, p. 90).

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Covington County may appoint, in addition to the chief deputy sheriff, such number of additional deputy sheriffs as to provide for a total of not more than five additional deputies. Such additional deputies shall serve at the pleasure of the sheriff and shall perform the duties of deputy sheriffs of Covington County and such other duties connected with the office of the sheriff as the sheriff shall assign to them.

Section 2. The salary of the chief deputy sheriff shall be fixed by the board of revenue at an amount not to exceed $500 per month and the salary of each of the additional deputies shall be fixed by said board at an amount not to exceed $450 per month. Such salaries shall be paid out of the general fund of the county or from such other fund, in whole or in part, as the board of revenue may lawfully designate.

Section 3. All laws and parts of laws in conflict with the provisions of this act are hereby repealed and the following acts are specifically repealed: Act No. 269, H. 615; Act No. 270, H. 616 and Act No. 382, H. 75 all of the Regular Session 1953 (Acts 1953, pp. 338; 339; and 452); Act No. 46, H. 205 and Act No. 47, H. 206, both of the Regular Session 1957 (Acts 1957, p. 90).

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shalll not affect the part which remains.

Section 5. This act shall become effective on the first day of the first month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert D. Burgess, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Opp News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 24, May 1, May 8, and May 15, all in the year 1969.

ROBERT D. BURGESS.

Sworn to and subscribed before me May 16, 1969.

TOMMIE SUE AMMONS,
Notary Public.

Also:

By Mr. Mays:

H. 455. To levy in Escambia County a county privilege tax upon every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters of Escambia County, which tax shall be in addition to all other taxes including the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20); to provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act No. 2 with respect to assessments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize the state revenue department to make rules and regulations to effectuate the purposes of this act; to provide that the revenue derived from the tax shall be used solely for the use of the public schools in Escambia County; and to prescribe additional penalties for certain violations.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ESCAMBIA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To levy in Escambia Co. a county privilege tax upon every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters of Escambia County, which tax shall be in addition to all other taxes including the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20); to provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act No. 2 with respect to assess-

ments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize the state revenue department to make rules and regulations to effectuate the purposes of this act; to provide that the revenue derived from the tax shall be used solely for the use of the public schools in Escambia County; and to prescribe additional penalties for certain violations.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) The word "department" means the state department of revenue. (b) The word "county" means Escambia County, Alabama. (c) The word "annual" means the calendar year, or the taxpayer's fiscal year, when permission is obtained from the department to use a fiscal year as a tax period in lieu of a calendar year. (d) The word "value" means the sale price or market value at the mouth of the well. If the oil or gas is exchanged for something other than cash, or if there is no sale at the time of severance, or if the relation between the buyer and the seller is such that the consideration paid, if any, is not indicative of the true value or market price, then the department shall determine the value of the oil or gas subject to the tax hereinafter provided for, considering the sale price for cash of oil or gas of like quality. (e) The word "oil" means crude petroleum oil and other hydrocarbons regardless of gravity, which are produced at the well in liquid form by ordinary production methods and which are not the result of condensation of gas after it leaves the well. (f) The word "gas" means all natural gas, including casinghead gas, and all other hydrocarbons not defined as oil in subsection (e) above. (g) The word "severed" means the extraction or withdrawing from the soil or water or from below the surface of the soil or water of any oil or gas, whether such extraction or withdrawal shall be by natural flow, mechanically enforced flow, pumping, or any other means employed to get the oil or gas from the soil or water or from below the surface of the soil or water. (h) The word "person" means any natural person, firm, copartnership, joint venture, association, corporation, estate, trust, any other group or combination acting as a unit, and the plural as well as the singular number. (i) The word "producer" means any person engaging or continuing in the business of oil or gas production in Escambia County which, for the purpose of this act, includes the owning, controlling, managing, or leasing any oil or gas property or oil or gas well; and producing in any manner any oil or gas by taking it from the soil or waters, or from beneath the soil or waters of Escambia Co., and further includes receiving money or other valuable consideration as royalty or rental for oil or gas produced or because of oil or gas produced, whether produced by him or by some other person on his behalf, either by lease, contract, or otherwise, and whether the royalty consists of a portion of the oil or gas produced being run to his account or a payment in money or other valuable consideration.

Section 2. (a) In addition to the state privilege tax levied upon persons engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or waters of this state pursuant to Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20), there is hereby levied, and to be collected as hereinafter provided, annual privilege taxes upon every person engaging or continuing to engage within Escambia County, Alabama in the business of producing or severing oil or gas as defined herein, from the soil or the waters, or from beneath the soil or the waters of said county for sale, transport, storage, profit, or for use. The amount of such tax shall be measured at the rate of two percent of the gross value of said oil or gas at the point of production.

(b) The tax is hereby levied upon the basis of the entire production in Escambia County, including what is known as the royalty interest, on which production the amount of such tax shall be a lien, regardless

of the place of sale or to whom sold, or by whom used, or the fact that the delivery may be made to points outside the state or county; and the tax shall accrue at the time such oil or gas is severed from the soil or the waters, or from beneath the soil or waters of said county, and in its natural, unrefined or unmanufactured condition.

Section 3. (a) The privilege tax hereby imposed in Escambia County is levied upon the producers of such oil or gas in the proportion of their ownership at the time of severance, but, except as otherwise herein provided, the tax shall be paid by the person in charge of the production operations in said county who is hereby authorized, empowered, and required to deduct from any amount due to producers of such production at the time of severance, the proportionate amount of the tax herein levied before making payments to such producers. The tax shall become due and payable as provided by this act; and such tax shall constitute a first lien upon any of the oil or gas so produced when in the possession of the original producer or any purchaser of such oil or gas in its unmanufactured state of condition. In the event the person in charge of production operations fails to pay the tax, then the department shall proceed against the producer to collect the tax in the manner hereinafter provided by this act.

(b) When any person in charge of production operations shall sell the oil or gas produced by him, the purchaser shall account for the tax.

(c) When any person in charge of production operations shall use or dispose of the oil or gas for fuel or any other purpose, he shall withhold the tax imposed by this act; and, if he is required to pay other interest holders, he is hereby authorized, empowered, and required to deduct from any amounts due them the amount of tax levied and due under the provisions of this act before making payment to them.

(d) Every person in charge of production operations by which oil or gas is severed from the soil or waters, or from beneath the soil or waters, of said county who fails to deduct and withhold, as required herein, the amount of tax from sale or purchase price, when such oil or gas is sold or purchased under contract or agreement, or on the open market, or otherwise, shall be liable for the full amount of taxes, interest, and penalties due; and the department shall proceed to collect the tax from the person in charge of production operations, under the provisions of this act, as if he were the producer of the oil or gas.

Section 4. The state department of revenue is hereby authorized and directed to administer and enforce the provisions of this act and to collect all of the taxes levied under the provisions herein. To that end said department is authorized to promulgate and enforce all necessary rules and regulations to effectuate the purposes of this act. All such rules and regulations duly promulgated shall have the force and effect of law.

Section 5. All laws, and rules and regulations of the department of revenue relating to assessments and the manner and time of payment of the tax levied by Act No. 2, H. 47, approved May 19, 1945 (General Acts 1945, p. 20), as amended, requiring reports from dealers and prescribing penalties for violations shall apply with equal force to the tax levied by this act as fully as if set out herein.

Section 6. The department of revenue is hereby authorized to charge the county for collecting the special tax levied by this act whenever said department incurs costs therefore which are in addition to the costs for collecting the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945, as amended. The amount charged shall be such amount as the commissioner of revenue and the county governing body shall agree upon, but shall not exceed ten percent of the amount collected. Such charges, if any, for collecting the taxes for the county may

be deducted each month from the proceeds of the taxes collected before certifying the amount thereof due the county for that month. The commissioner of revenue shall pay into the state treasury all county taxes collected under this act, as such taxes are received by the department of revenue. On or before the tenth day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this act and paid by him into the state treasury for the benefit of Escambia County during the month immediately preceding the making of such certificate. Provided, that before certifying the amount of taxes paid into the state treasury for the benefit of the county during each month, the commissioner may deduct from the taxes collected in such month any charges due to the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the Escambia Co. School Funds in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of the county and city public schools. The custodian of the Escambia Co. School Funds shall distribute said funds so received as follows: The Escambia County Board of Education and the Brewton City Board of Education shall each receive its pro rata share of said moneys based upon its relative percentage of the combined net registration of said school systems during the preceding school year.

Section 7. Any party making or participating in a false return made under the provisions of this act or incorporated herein shall be guilty of perjury and upon conviction shall by punished in the manner prescribed by law.

Section 8. If it is brought to the attention of the department that any producer is guilty of violating any of the provisions of this act, the department is hereby authorized and required, through lawfully authorized counsel, to proceed in the courts of the State to obtain a writ of injunction, which writ shall be granted by the court when applied for in the manner prescribed by law. The department, however, is hereby relieved of the requirement to furnish bond of any character.

Section 9. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. All laws or parts of laws which conflict with this act are repealed.

Section 11. This act shall become effective October 1, 1969.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ESCAMBIA

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Morrissette, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of the Atmore Advance, a newspaper of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 1, 1969, May 8, 1969, May 15, 1969, and May 22, all in the year 1969.

E. R. MORRISSETTE, JR.

Sworn to and subscribed before me May 23, 1969.

MOLLY A. NORRIS,
Notary Public.

My commission expires Jan. 19, 1971.

Also:

By Mr. Williams:

H. 457. Relating to counties having populations of not less than 36,600 nor more than 37,600 according to the most recent federal decennial census; to provide further for expense allowances for the judge of the county court in all such counties.

Also:

By Mr. Downing:

H. 291. To amend Act No. 624, H. 1001, of the 1965 Regular Session (Acts of Alabama 1965, p. 1137), which applies only to certain counties classified on a population basis, and further regulates the filing for record of certain legal documents, makes unlawful the filing thereof unless certain endorsements are entered on such documents, provides that the falsification of such endorsements is a misdemeanor, and exempts judges of probate of the counties to which it applies from liability for errors in the performance of the duties imposed by the act if such errors are committed in good faith, so as to change the population span of the classification used in the act.

Also:

By Messrs. Cook (Jefferson), Dill, Sessions, Yielding, Cherner, Gloor, Adwell, Jackson (T), Holman, Kilgore, Money, Bowers, Weeks, Gafford, Watkins, House, Waggoner and Ellis:

H. 465. To authorize any public building corporation heretofore or hereafter organized pursuant to the provisions of Act No. 682 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore or hereafter amended, in any county having a population of 600,000 or more according to the last or any subsequent federal decennial census, to enter into a contract or lease agreement with the county which authorized the organization of such public corporation and any municipality therein, whereunder the obligations of each may be joint or several, or with such county or any such municipality separately, or with any department or agency of either, or with the State of Alabama, or any department or agency thereof, for a maximum period of 20 years.

Also:

By Messrs. Yeilding, Bowers, Holman, Ellis, Weeks, Gloor, Sessions, Meeks, Waggoner, Kilgore, Cherner and House:

H. 467. To provide a comprehensive system of law applicable to any county in this state having a population of 500,000 or more according tc the last or any subsequent federal census, defining the powers of any such county to construct improvements consisting of sanitary sewers and sewer facilities with respect to subdivisions located outside the corporate limits of any municipality in such counties; to provide a method for the assessment of the cost of any such improvement against the property abutting on, or drained, served, or benefited by such improvement; to require the adoption of a resolution describing the improvement and the property abutting on, or the area to be drained, served or benefited by such improvement; to require the filing of plans and specifications for such improvement; to provide for publication and mailing of notice of the adoption of the said resolution; to provide for a public hearing on such improvement; to provide for payment of the cost of the improvement; to provide for public advertisement for bids for the construction of the improvement unless the county shall perform the work

or provide materials from its own resources; to provide for supervision of the work; to provide for the levy of betterment taxes and assessments on the property benefited by any improvement; to provide for the preparation of a list of owners and parcels to be assessed, and publication of notice of such list; to provide for any defects or errors therein; to provide for a hearing on the proposed assessments and making the same final; to provide for the establishment of a lien on the property subject to the assessments and for the priority thereof; to provide for the reduction or abatement of certain assessments; to authorize the transfer and assignment of such liens, and for the enforcement thereof; to specify other provisions with respect to such liens; to provide a system for appeals from the making of such final assessment; to provide a system for payment of all such assessments and for default in such payments; to authorize lands subject to such liens to be sold in satisfaction thereof and a system for the redemption of such lands after any such sale; to establish a procedure for the termination of any right of redemption; to provide a system for the issuance of notes or bonds to finance any such improvements; to exempt any securities issued hereunder from Chapter 6 of Title 12 of the Code of Alabama of 1940, as heretofore or hereafter amended; to specify requirements with respect to any such notes or bonds; to require public sale thereof with certain exceptions; to provide for the refunding thereof under specified circumstances; to provide that any such bond shall be incontestable after a specified period; to provide that all such bonds and notes and the interest thereon shall be exempt from taxation; to provide for the replacement of lost, destroyed or mutilated bonds and for the refunding of outstanding bonds; to establish sinking fund accounts for the payment of bonds and for the grouping of improvements for a single bond issue; to specify the use of funds received from the said assessments and to establish liability on official bonds for the handling of such funds; to provide for a refund of excess collections in certain circumstances; to grant to any such county the right of eminent domain with respect to improvements; to provide for the effect of annexation or incorporation of an area in which assessments have been made; to provide for the severability of the provisions of this act and for the repeal of inconsistent laws; and to establish the effective date of this act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 417, 433, 436, 448, 457 and 291. To the Committee on Local Legislation No. 1.

H. B. 455. To the Committee on Forestry and Conservation.

H. B.'s 465 and 467. To the Committee on Local Legislation No. 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Agee and McCorquodale:

H. 591. To amend further Section 1 of Act No. 99, H. 437, Regular Session 1957, as amended, an act fixing the compensation of the county

superintendent of education of Washington County, relative to the amount of compensation of said superintendent.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF WASHINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 1 of Act No. 99, H. 437, Regular Session 1957, as amended, an act fixing the compensation of the county superintendent of education of Washington County, relative to the amount of compensation of said superintendent.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 99, Regular Session 1957, Acts 1957 p. 137) as amended, is amended further to read as follows:

"Section 1. The county superintendent of education of Washington County shall receive an annual salary not to exceed the sum of an amount equal to the highest salary paid to any teacher or principal in the county school system plus an amount equal to 25% of such highest paid salary. The salary herein provided for the superintendent of education shall be fixed by the county board of education and shall be payable in equal monthly installments out of county funds available for such purpose."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WASHINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dalton Jackson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Call-News Dispatch, a newspaper of general circulation published in Washington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 24, May 1, May 8, and May 15, all in the year 1969.

DALTON JACKSON.

Sworn to and subscribed before me May 23, 1969.

HOWARD SCOTT,
Notary Public, State of
Ala. at large.

Also:

By Mr. Perloff:

H. 286. To alter, rearrange and extend the boundary lines and corporate limits of the City of Prichard in Mobile County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

State of Alabama, County of Mobile. Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Prichard in Mobile County. Be it enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Prichard in Mobile County are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within the corporate limits of the city, the following described property:

Commencing on the present city limits or boundary line at the Southeast corner of Craftview Court Subdivision of Prichard, Mobile County, Alabama; thence directly Eastwardly along the boundary line of the City of Mobile to the point of intersection of the West boundary line of West Highlands Subdivision; thence Northwardly along the West boundary line of West Highlands Subdivision to the North boundary line of said subdivision; thence Eastwardly along the North boundary line of West Highlands Subdivision to the Southwest corner of the Semlar Subdivision which is a point on the present boundary line of the City of Prichard; thence along the present boundary line of the City of Prichard, NO9° 15'W, 630 feet; thence N86° 15'W, 1320 feet; thence S73° 33'W, 1200 feet; thence S46° 27'E 90 feet; thence S43° 33'W, 190 feet. thence S46° 57'E 1290 feet to the Southeast corner of Craftview Court which is the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E E Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, Inc., a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama,

said notice having appeared in the issues of said paper on April 9, April 16, April 23, and April 30, all in the year 1969.

E E KOCH.

Sworn to and subscribed before me May 7, 1969.

S S GATLIN,
Notary Public.

Also:

By Mr. Cameron:

H. 407. To provide a supplement payable by the counties for any judge of the 15th Judicial Circuit of Alabama who becomes supernumerary circuit judge.

Also:

By Messrs. Springer, Cameron, Harris, Hobbie and McElhaney:

H. 540. Relating to counties having populations of not less than 150,000 nor more than 300,000; to provide further for the duties and authority of the judge of probate; and to prescribe further the manner of keeping records and recording documents, instruments and paper; to provide for the discontinuance of keeping copies or prints or records in well-bound books.

Also:

By Messrs. Springer, Cameron, Harris, Hobbie and McElhaney:

H. 541. Relating to counties having populations of not less than 150,000 nor more than 300,000; to provide further for the duties and authority of the judge of probate in such counties; to authorize and permit the discontinuance of keeping both "Minute Books" and "Final Record Books;" to authorize the probate judge to adopt and promulgate reasonable rules and regulations controlling public access to the system of recording and preserving records; to provide the manner of keeping records of the probate of wills; to prescribe the procedure for selling copies of certain records; and repealing conflicting laws.

Also:

By Messrs. Brown, Robertson, Bank and Culver:

H. 202. Relating to all counties having a population of not less than 100,000 nor more than 115,000 according to the most recent federal decennial census; fixing the compensation of election officers in said counties.

Also:

By Mr. Neville:

H. 608. To alter, rearrange and extend the boundary lines and corporate limits of the town of Clayton in Barbour County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be

introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the Town of Clayton in Barbour County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of Clayton in Barbour County are hereby altered, rearranged, extended, and redefined so as to include within such corporate limits of the Town all the territory now within such corporate limits and also certain other additional and adjacent territory in said county, as follows:

West Half of Southwest Quarter, Section 29; Southeast Quarter and South Half of Northeast Quarter, Section 30; East Half of Section 31; Northwest Quarter of Northwest Quarter; South Half of North Half. and all of South Half, Section 32; South Half of North Half, and all of South Half, Section 33; Southwest Quarter of Southwest Quarter and North Half of South Half, Section 34; Township 11 North, Range 26 East. West Half of West Half, Section 3; all of Section 4; all of Section 5; Northeast Quarter of Northeast Quarter, Section 9; and North Half of North Half, Section 10; Township 10 North, Range 26 East.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Bertie G. Parish, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was publisher of the The Clayton Record, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four seccessive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 8, May 15, May 22, and May 29, all in the year 1969.

MRS. BERTIE G. PARISH.

Sworn to and subscribed before me June 2, 1969.

MILTON CAMPBELL,
Notary Public.

Also:

By Mr. Lemley:

H. 611. To alter, rearrange, extend, and redefine the boundaries and corporate limits of the Town of Blountsville in Blount County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To alter, rearrange, extend, and redefine the boundaries and corporate limits of the Town of Blountsville in Blount County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of Blountsville in Blount County are hereby altered, rearranged, extended, and redefined so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other additional and adjacent territory in said county, as follows:

The E½ of the NE¼, Section 12;

The S½ of Section 12;

Section 13;

The E½ of the SE¼, Section 11;

The E¼ of Section 14;

The NE¼ of Section 24;

The E½ of NW¼, Section 4;

The E½ of SE¼, Section 24;

The E½ of NE¼, Section 25,

All in Township 11, South, Range 1 West, Blount County, Alabama.

Also,

The W½ of Section 7

The W½ of Section 18

The W½ of Section 19

The NW¼ of Section 30

All in Township 11 South, Range 1 East, Blount County, Alabama.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA,
BLOUNT COUNTY.

Personally appeared before the undersigned authority, Mrs. Rice M. Howard, who being duly sworn, deposes and says that she is the publisher of The Southern Democrat, a newspaper published in Oneonta,

Alabama, and that the attached notice a bill to be entitled an act was published for four consecutive weeks in said newspaper, commencing on the 27th day of March, 1969, and ending on the 17th day of April, 1969.

MRS. R. M. HOWARD.
Publisher.

Sworn to and subscribed before me this 2nd day of June, 1969.

JANE HILL,
Notary Public.

Also:

By Mr. Marr:

H. 110. To amend Section 3 of Act No. 856, S. 242, Regular Session 1961, entitled "An Act to suppress traffic in obscene publications, defining terms, prescribing penalties, and providing enforcement procedures against residents or nonresidents."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 591, 286, 407, 540, 541, 202, 608 and 611. To the Committee on Local Legislation No. 1.

H. B. 110. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Brannan, Owen (Baldwin), Starnes, Holladay, and Wright:

H. 5. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Also:

By Mr. Owen (Baldwin):

H. 427. To amend Section 402(65) of Title 37 of the Code of Alabama of 1940 to provide for the use of the public roads by gas districts in this State.

Also:

By Mr. Owen(Baldwin):

H. 428. To amend Section 16 of Title 23 of the Code of Alabama of 1940 providing for certain rules and regulations of the highway department.

Also:

By Messrs. Headley and Neville:

H. 20. Relating to fees of witnesses in criminal cases; amending Code 1940, Title 11, Section 103.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 5. To the Committee on Municipalities and Municipal Organizations.

H. B.'s 427 and 428. To the Committee on Public Roads and Highways.

H. B. 20. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Dill, Kilgore, Holman, Weeks, Jackson (T), Gloor, Cherner, Gafford, Yeilding, Sessions, Bowers, Waggoner, Meeks, Watkins, Ellis, Money, Cook (Jefferson) and Adwell:

H. 601. To amend Section 10 of Act No. 662 of the Legislature of Alabama of 1951 (General Acts of 1951, p. 1132 et seq.) which fixes, levies and requires the payment of a license tax upon the sale, distribution, delivery, storage or taking out of storage of beer, lager beer, ale, porter, near beer or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent Federal Census.

Also:

By Messrs. Cherner, Yeilding, Sessions, Ellis, Jackson (T), Cook (Jefferson), House, Bowers, Meeks, Gafford, Holman, Gloor, Weeks and Adwell:

H. 602. Relating to counties having a population of 600,000 or more according to the last or any succeeding federal census; and to provide for the allocation and distribution between and among said counties and the incorporated municipalities located therein of those portions of the net proceeds from the state gasoline excise tax that are allocated or apportioned to such counties and municipalities therein by Sections 3, 4 and 5 of Act No. 224 adopted at the special session of the Legislature of Alabama of 1967 (Acts of Alabama of 1967, page 295 et seq.); to repeal Act No. 404 adopted at the 1967 Regular Session of the Legislature of Alabama (Acts of Alabama of 1967, page 1017 et seq.) and all other laws or parts of laws in conflict herewith; and to fix the effective date of this act.

Also:

By Messrs. Merrill, Mathews and Lybrand:

H. 13. To amend Act No. 239, H. 220, Regular Session 1967 (Acts of 1967, p. 615), which creates a board of trustees to manage and control Jacksonville State University, and divests the state department of education of jurisdiction, power and authority with respect to the supervision, management and control of such university, so as to provide further for the annual meeting of said board of trustees.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 601 and 602. To the Committee on Local Legislation No. 2.

H. B. 13. To the Committee on Public Buildings and Grounds.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cook (Jefferson), Dill, Sessions, Yeilding, Cherner, Gloor, Adwell, Jackson (T), Holman, Kilgore, Money, Bowers, Weeks, Gafford, Watkins, House, Waggoner and Ellis:

H. 468. To authorize any county having a population of 600,000 or more according to the last or any subsequent federal decennial census, to become a party to a contract or lease agreement, solely on its own behalf, or jointly with any municipality in any such county, whereunder the liability of each may be joint or several, and whereunder the lessor is a public building authority, for a maximum period of twenty (20) years, to provide office space or to pay the expenses of providing office space for the State or County Department of Pensions and Security or any successor to both or either of them in carrying on any program for public welfare assistance.

Also:

By Messrs. Cook (Jefferson), Dill, Sessions, Yeilding, Cherner, Gloor, Adwell, Jackson (T), Holman, Kilgore, Money, Bowers, Weeks, Gafford, Watkins, House, Waggoner and Ellis:

H. 469. To authorize any public building corporation heretofore or hereafter organized pursuant to the provisions of Act No. 493 enacted at the 1955 Regular Session of the Legislature of Alabama, as heretofore or hereafter amended, in any municipality having a population of 300,000 or more according to the last or any subsequent federal decennial census, to enter into a contract or lease agreement with the municipality which authorized the organization of such public corporation and the county in which such municipality is located, whereunder the obligations of each may be joint or several, or with such municipality or such county separately, or with any department or agency of either, or with the State of Alabama or any department or agency thereof, for a maximum period of 20 years.

Also:

By Messrs. Cook (Jefferson), Dill, Sessions, Yeilding, Cherner, Gloor, Adwell, Jackson (T), Holman, Kilgore, Money, Bowers, Weeks, Gafford, Watkins, House, Waggoner and Ellis:

H. 470. To authorize any city having a population of 300,000 or more according to the last or any subsequent federal decennial census, to become a party to a contract or lease agreement, solely on its own behalf, or jointly with the county within which such municipality is located, whereunder the liability of each may be joint or several, and whereunder the lessor is a public building authority, for a maximum period of twenty (20) years, to provide office space or to pay the expenses of providing office space for the State or County Departments of Pensions and Security or any successor to both or either of them in carrying on any program of public welfare assistance.

Also:

By Messers. Adwell, Dill, Bowers, Jackson (T), House, Gafford, Meeks, Sessions, Holman, Weeks, Waggoner and Crane:

H. 472. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, pages 1579 et seq.) as amended, entitled "To create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Also:

By Messers. Dill, Adwell, Bowers, Jackson (T), Ellis, Holman, Weeks, Gloor, Sessions, House, Crane, Waggoner, Kilgore and Cherner:

H. 471. To provide for the compensation to be paid circuit district attorneys by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Also:

By Messrs. Gafford, Holman, Watkins, Weeks, Bowers, Jackson (T), Kilgore, Waggoner, House, Ellis, Crane, Adwell, and Dill:

H. 475. To amend further Act No. 452, H. 974, Regular Session 1955, an act providing for adoption of the mayor-council form of government in cities having populations of more than 300,000.

Also:

By Messrs. Adwell, Bowers, Jackson (T), Holman, Weeks, Sessions, Meeks, Gafford, Crane, Waggoner, Kilgore and Cherner:

H. 476. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, Et Seq.), as amended, entitled: "An Act to create

or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system".

Also:

By Mr. Young:

H. 442. Relating to counties having a population of not less than 10,800 nor more than 12,000 according to the last and any succeeding Federal Decennial Census, providing for the compensation and allowances of members of the county governing body; and to validate actual expenses heretofore paid in performance of their duties outside the county.

Also:

By Mr. Berryman (R):

H. 504. To amend Act No. 119, H. 24, of the Special Session of 1967 (Acts of 1967, p. 166) which relates to the government of Lawrence County and, among other things, establishes the court of county commissioners of Lawrence County and provides for the organization, powers, jurisdiction and duties of such court and for the qualifications, election and compensation of the members thereof, amending Section 2 of such act in order to provide for the nomination and the election of members of such court of county commissioners by the county at large.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAWRENCE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 119, H. 24, of the Special Session of 1967 (Acts of 1967, p. 166) which relates to the government of Lawrence County and, among other things, establishes the court of county commissioners of Lawrence County and provides for the organization, powers, jurisdiction and duties of such court and for the qualifications, election and compensation of the members thereof, amending Section 2 of such act in order to provide for the nomination and the election of members of such court of county commissioners by the county at large.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 119, H. 24 of the Special Session of 1967 (Acts of 1967, p. 166) is hereby amended to read as follows:

"Section 2. Lawrence County is hereby divided into four commissioners' districts for the purpose of electing members of the court of county commissioners, as follows:

"The northeast district of the county shall be that portion of Lawrence County lying east of the line between Ranges 7 and 8 and north of the section lines which are parallel to and, approximately, one (1) mile south of the line between Townships 5 and 6.

"The northwest district of the county shall be that portion of Lawrence County lying west of the line between Ranges 7 and 8 and north of the section lines which are parallel to and, approximately, one (1) mile south of the line between Townships 5 and 6.

"The southeast district of the county shall be that portion of Lawrence County lying east of the line between Ranges 7 and 8 and south of the section lines which are parallel to and, approximately, one (1) mile south of the line between Townships 5 and 6.

"The southwest district of the county shall be that portion of Lawrence County lying west of the line between Ranges 7 and 8 and south of the section lines which are parallel to and, approximately, one (1) mile south of the line between Townships 5 and 6.

"A county commissioner shall be nominated and elected for each district by the qualified electors of the county at large. Commissioners for the northeast and northwest districts shall be elected at the general election to be held in November, 1968, and every four years thereafter; commissioners for the southeast and the southwest districts shall be elected at the general election to be held in November, 1970, and every four years thereafter. Each commissioner shall be a resident and qualified elector of the district for which he is elected, and shall continue to reside therein during his continuance in office."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was owner, publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 1, May 8, May 15, and May 22, all in the year 1969.

ARTHUR F. SLATON.

Sworn to and subscribed before me May 26, 1969.

LE RUTH G. SLATON,
Notary Public.

Also:

By Mr. Berryman (R):

H. 505. To amend Act No. 272, H. 688, Regular Session 1949 (Acts 1949, p. 399) which fixes the compensation of the coroner of Lawrence County; to provide further for the compensation of such coroner.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAWRENCE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 272, H. 688, Regular Session 1949 (Acts 1949, p. 399) which fixes the compensation of the coroner of Lawrence County; to provide further for the compensation of such coroner.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 272, H. 688, Regular Session 1949 (Acts 1949, p. 399) is hereby amended to read as follows:

Section 1. The coroner of Lawrence County shall receive as his compensation and for other expenses and ex officio services the sum of $75.00 a month. Such compensation shall be paid in equal monthly installments out of the general fund of the county upon warrants issued by the governing body of said county.

Section 2. This act shall become effective upon the expiration of the term of office of the incumbent coroner of Lawrence County.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was owner, publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 1, May 8, May 15, and May 22, all in the year 1969.

ARTHUR F. SLATON.

Sworn to and subscribed before me May 26, 1969.

LE RUTH G. SLATON,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 468, 469, 470, 472, 471, 475 and 476. To the Committee on Local Legislation No. 2

H. B.'s 442, 504, 505. To the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Berryman (R):

H. 506. Relating to Lawrence County; to authorize the coroner of such county to appoint an assistant coroner.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAWRENCE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lawrence County; to authorize the coroner of such county to appoint an assistant coroner.

Be It Enacted by the Legislature of Alabama:

Section 1. The coroner of Lawrence County is hereby authorized to appoint an assistant coroner. The assistant coroner shall serve at the pleasure of and be responsible to the coroner and shall have the same powers as the coroner. He shall not be entitled to compensation from the county.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was owner, publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice haivng appeared in the issues of said paper on May 1, May 8, May 15, and May 22, all in the year 1969.

ARTHUR F. SLATON.

Sworn to and subscribed before me May 26, 1969.

LE RUTH G. SLATON,
Notary Public.

Also:

By Mr. Berryman (R):

H. 507. Relating to the office of sheriff in counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census; providing for an allowance for uniforms for the sheriff, his deputies and other employees of the sheriff's department in all such counties; authorizing the sheriff in all such counties to appoint two additional deputies sheriff; and providing for the compensation of such additional deputies.

Also:

By Mr. Berryman (R):

H. 508. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

Also:

By Mr. Berryman (R):

H. 509. To propose an amendment to the Constitution of Alabama relating to Lawrence County that would empower each school district in said county, when authorized at an election therein, to levy and collect a special five mill district school tax on the assessed valuation of the taxable property in such district for public school purposes in such district, and conferring upon the county board of education of said county the power under some circumstances and without an election to change the boundaries of any school district in said county or consolidate any two or more school districts therein.

Also:

By Messrs. Turnham, Higginbotham and Brassell:

H. 512. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the territory of Lee County exclusive of Auburn and Opelika.

Also:

By Mr. Garrett:

H. 536. Relating to law enforcement in Conecuh County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to law enforcement in Conecuh County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

Be It Enacted by the Legislature of Alabama:

Section 1. In Conecuh County the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama 1940, Title 14, Section 177 shall be five dollars, which shall be collected by the Sheriff.

Section 2. Any and all monies collected under Section 1 of this act shall be deposited by the Sheriff of Conecuh County, in any bank located in Conecuh County, into a fund known as the Sheriff's Fund.

Section 3. The Sheriff's Fund as provided in Section 2 of this act shall drawn upon by the Sheriff of Conecuh County or his appointed agent and shall be used exclusively for law enforcement purposes and in the discharge of the Sheriff's office as he sees fit.

Section 4. The establishment of the Sheriff's Fund as provided in this act and the use of such funds shall in no way diminish or take the place of any other imbursement or other source of income establishment for the Sheriff or the operation of his office.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Evergreen Courant, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 1, May 8, May 15, and May 22, all in the year 1969.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me May 22, 1969.

HAROLD ADAMS,
Notary Public.

Also:

By Mr. Bassett:

H. 549. Relating to the City of Troy in Pike County: To alter, rearrange and extend the boundary lines and corporate limits of the City

of Troy, in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the City of Troy in Pike County: to alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

Be It Enacted by the Legislature of Alabama:

Section 1: That the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said city, in addition to the lands now included, all of the following territory, namely: Beginning at a point on the existing western boundary of the City of Troy Corporate limits, Pike County, State of Alabama, where the said City limits intersects the North State right of way of U.S. Highway 29 thence in a westerly direction along said right of way to the west line of the NE¼ of the SW¼ of Section 25, Township 10, Range 20, being opposite International Paper Company Wood Yard, thence, South 0 degrees 36 feet W 1488.7 feet thence North 83 degrees 04' E, 1018.8 feet, thence North 108.0 feet, thence North 82 degrees 51' E, 428.5, thence North 2 degrees 34' W 938.8 feet to the South right of way of U.S. Highway 29, thence in an easterly direction along said right of way to the intersection thereof with the existing corporate limits of the city of Troy, Pike County, Alabama thence North to the point of beginning.

Section 2. That all laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon is other wise becoming a law.

STATE OF ALABAMA,
PIKE COUNTY

Before me, Maurine Bryan, a Notary Public in and for said State and County, personally appeared Robert L. Winebarger, who being sworn deposes and says on oath, that he is the General Manager of THE TROY MESSENGER, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice, Boundary lines and corporate limits, City of Troy, was published in said newspaper 4 times, the same appearing in the issues dated: April 29, May 6, 13, 20.

ROBERT L. WINEBARGER,
General Manager.

Sworn to and subscribed before me this the 22 day of May, 1969.

MAURINE BRYAN.

Also:

By Mr. Young:

H. 550. Relating to counties having a population of not less than 19,000 nor more than 19,500 according to the last and any succeeding Federal Decennial Census, authorizing the appointment of sheriff's deputies, and authorizing the county governing body to determine number of deputies and their salaries.

Also:

By Mr. Young:

H. 551. Relating to counties having a population of not less than 19,000 nor more than 19,500 according to the last and any succeeding Federal Decennial Census; providing for the compensation and allowances of members of the county governing body; and to validate actual expenses heretofore paid in performance of their duties outside the county.

Also:

By Mr. Dobbs:

H. 589. Relating to counties having a population of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census; to grant an allowance for clerical help to the circuit clerks in such counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 506, 507, 508, 509, 512, 536, 549, 550, 551 and 589. To the Committee on Local Legislation No. 1

(The above numbered Bills, H. B.'s 509 and 512, were read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Tuck:

H. 630. Relating to Greene County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Greene County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Any motor vehicle, or any gun, rifle or other hunting equipment customarily used in hunting deer, or any possession thereof upon the person or in any motor vehicle of any person who may be apprehended while engaging in hunting deer at night in Greene County shall be contraband and shall be forfeited to the State of Alabama. Such property may be seized by the Sheriff of the county or by any other officer or person acting under authority of law in the enforcement of laws of this state, and the Sheriff or such other officer or person shall report the seizure and the facts connected therewith to the solicitor or any other prosecuting official of the county, giving a full description of the vehicle or other equipment seized and detained, the name of the person in whose possession it was found, the name of the person making claim to the same or any interest therein if the name is known or can be ascertained, the date of seizure, and a statement of the circumstances connected with the apprehension of the person or persons whose property has been seized.

Section 2. In order to condemn and confiscate any of the property set out in section one of this Act it shall not be necessary for the solicitor or other prosecuting authority to prove possession of deer killed in night hunting or that the hunter be apprehended in the actual act of killing deer but it shall suffice to prove possession upon the person or in any motor vehicle of such person of guns ammunition, and other equipment normally used in hunting deer and the time, the place, and circumstances of the apprehension sufficient to support a conviction of the offense of night hunting of deer.

Section 3. Except as otherwise herein provided, the manner, the method and procedure for the forfeiture, condemnation, and sale of any motor vehicles or hunting equipment seized under authority of this act shall be the same as that provided by law for the confiscation, condemnation, and sale of automobiles, conveyances, or vehicles in which alcoholic beverages are illegally transported. Without limiting the generality of the foregoing sentence, the provisions of Code of Alabama 1940, Title 29, Sections 248 and 249 shall apply.

Section 4. The proceeds of the sale of any property condemned and forfeited to the state under authority of this act, after payment of all expenses in the cause, including the cost of seizure and a keeping of the property pending the proceedings, shall be paid into the state treasury to the credit of the Game and Fish fund.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Greene County Democrat, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4-10, 4-17, 4-24, and 5-1, all in the year 1969.

RICHARD K. MARTIN.

Sworn to and subscribed before me June 3, 1969.

GENEVA L. MATTISON,
Notary Public.

Also:

By Mr. Berryman (R):

H. 650. To alter, rearrange and extend the boundary lines and corporate limits of the town of Town Creek in Lawrence County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAWRENCE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the town of Town Creek in Lawrence County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Town Creek in Lawrence County are hereby altered, rearranged and extended so as to include within the corporate limits of the town, in addition to the area now embraced within such corporate limits of the town, a tract of land more particularly described as follows:

That land east of and adjacent to the present corporate limits of the town and lying along each side of Alabama highway number 20 for a distance of one-half mile and extending south of such highway for a distance of one-fourth mile and north of such highway to the right-of-way of the Southern Railroad.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Owner, Publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 8, May 15, May 22, and May 29, all in the year 1969.

ARTHUR F. SLATON.

Sworn to and subscribed before me May 30, 1969.

LeRUTH G. SLATON,
Notary Public.

4-15-70

Also:

By Mr. Berryman (R):

H. 651. To regulate the compensation of county superintendents of education in counties having populations of not less than 22,500 nor more than 24,550.

Also:

By Messrs. Bassett and Hardin:

H. 662. Relating to Pike County; to provide for election of County Commissioners by the qualified electors of the county at large.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Pike County; to provide for election of County Commissioners by the qualified electors of the county at large.

Section 1: From and after the effective date of this Act each candidate for the office County Commissioner of Pike County at the time of his qualification as a candidate for such office shall reside in and be a qualified elector of the district he is a candidate to represent; but all County Commissioners shall be elected by the qualified electors of the county at large.

Section 2: All laws and parts of laws and laws in conflict with the provisions of this act are to the extent of the conflict repealed.

Section 3: This act shall become effective immediately upon its passage and its approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA,
PIKE COUNTY

Before me, Maurine Bryan, a Notary Public in and for said State and County, personally appeared Robert L. Winebarger, who being sworn, deposes and says on oath, that he is the Business Manager of THE TROY MESSENGER, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice A Bill to be Entitled An Act Election County Commissioners was published in said newspaper 4 times, the same appearing in the issues dated: May 12, 19, 26, June 2.

ROBERT L. WINEBARGER.
Business Manager.

Sworn to and subscribed before me this the 2 day of June 1969.

MAURINE BRYAN,
Notary Public.
Pike County, Ala.

Also:

By Mr. Stubbs:

H. 664. Relating to Shelby County; levying a tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in Shelby County, Alabama, for any use, gasoline, and diesel fuel as defined by this Act; providing for the collection and enforcement of the tax; and prescribing and restricting the use to which the proceeds thereof may be applied.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Shelby County; levying a tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in Shelby County, Alabama, for any use, gasoline, and diesel fuel as defined by this Act; providing for the collection and enforcement of the tax; and prescribing and restricting the use to which the proceeds thereof may be applied

Be It Enacted by the Legislature of Alabama:

Section 1. The following words, when used in this Act shall have the meaning ascribed to them below, unless the context clearly indicates a different meaning:

"Person" includes any corporation as well as a natural person.

"Gasoline" means any type of gasoline, naptha, or other liquid motor fuel, or any device or substitute therefor, commonly used in internal combusion engines.

"Diesel fuel" means any type diesel oil, tractor fuel, gas oil, distillate or liquified gas, or any device or substitute therefor.

Section 2. In addition to all other taxes and licenses, there is hereby levied upon every distributor, refiner, retail dealer or storer of gasoline of diesel fuel in Shelby County, Alabama, an excise tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in Shelby County for any use, gasoline, or diesel fuel as defined by this Act; provided, the tax shall not be levied or paid on the sale of gasoline, or diesel fuel in the interstate commerce or to the Government of the United States or its agencies, or direct to the State of Alabama. When the tax levied herein shall have been paid by a distributor, refiner, retail dealer or storer, such payment shall be sufficient, the intention being that the tax shall be paid but once. The tax shall not be levied or paid on gasoline or diesel fuel which is withdrawn from storage within Shelby County for delivery only to a point or points outside the county, when the distributor or seller of such gasoline, or diesel fuel prepares and files with the governing body of Shelby County written statements sworn to and subscribed, in such form as may be required by the county governing body, showing the name and address of the person to whom the gasoline, or diesel fuel is or has been delivered by the distributor; the volume and kind of such gasoline, or diesel fuel; the dates of such withdrawals; and the point or points outside the county to which such gasoline, or diesel fuel is delivered or is to be delivered.

Section 3. On or before the twentieth day of each month after this Act shall have become effective, every person upon whom the tax levied herein is imposed shall render to the governing body of Shelby County, on forms prescribed by the county governing body, a true and correct statement of all sales and withdrawals of gasoline, or diesel fuel liable for payment of the tax imposed by this Act made by him or them during the next preceding month; shall furnish to the county governing body such additional information as the county governing body may require upon blanks to be formulated and furnished by the county governing body; and, at the time of making such report, shall pay to the county governing body; the tax levied by this Act upon such sales and withdrawals. The statement herein required to be made by the distributor, storer or retail dealer shall be sworn to before some officer authorized to administer oaths. Any willfully false statement sworn to shall constitute perjury, and upon conviction thereof the person so convicted shall be punished as provided by law.

Section 4. All distributors, storers or retail dealers shall keep for not less than two years within the State of Alabama at some certain place or office such books, documents, or papers, as will clearly show the amount of sales or withdrawals of gasoline, or diesel fuel made in Shelby County and subject to the tax levied by this Act.

Section 5. Within 30 days after this Act shall have become effective, every distributor, storer or retail dealer engaged in the sale or withdrawal of gasoline, or diesel fuel in Shelby County shall make a report on blanks furnished under Section 3 hereof to the governing body of the county, showing the place and post office address at which his business of distributor or storer or retail dealer in gasoline, or diesel fuel is located in the county, which information shall be entered by the county governing body on a book kept for that purpose, and should such distributor, storer, or retail dealer move his place of business from one business address to another, such distributor, storer or retail dealer shall within thirty days thereafter notify the county governing body of such removal, giving the former place and post office address and also the place and post office address to which his place of business has been removed. After the passage of this Act, no person shall become a distributor, storer or retail dealer of gasoline, or diesel fuel in Shelby

County until he shall have made such report to the county governing body.

Section 6. If any distributor, storer or retail dealer in gasoline, or diesel fuel in Shelby County willfully fails to make any report required by the provisions of this Act, or willfully fails to comply with any lawful regulation adopted by the county governing body for the collection of the tax, or willfully fails to make any report within the time prescribed, or willfully fails to pay the tax imposed within the time fixed for the payment thereof, such distributor, storer or retail dealer shall be guilty of a misdemeanor, and upon the conviction thereof shall be fined not less than fifty dollars nor more than three hundred dollars for each offense.

Section 7. It shall be the duty of the court of county commissioners, board of revenue, or like governing body of Shelby County to enforce the provisions of this Act, and to make any and all rules and regulations necessary and proper for the collection of the tax levied herein. The county governing body or any member thereof or its agents shall have the right to examine the books, report, and accounts of every distributor, storer or retail dealer of gasoline, or diesel fuel subject to such tax.

Section 8. If any distributor, storer or retail dealer in gasoline, or diesel fuel wilfully fails to make monthly reports or fails to pay the tax imposed under the authority of this Act, the tax shall be deemed delinquent within the meaning of this Act, and there shall be added to the amount of his tax a penalty of twenty-five percent; provided, however, that if in the opinion of the county governing body a good and sufficient cause and reason is shown for such delinquency, the penalty may be remitted. The county governing body is hereby authorized and empowered to make returns for delinquent tax payers upon such information as it may reasonably obtain and add to that the penalty as prescribed by this Act. If any person shall be delinquent in the payment of any tax imposed by this Act, the county governing body shall issue execution for the collection of the same, directed to any sheriff of the State of Alabama, who shall proceed to collect the same in the manner now provided by law for the collection of delinquent taxes by the county tax collector, and make return of such execution to the governing body issuing the same. The tax levied by this Act and the penalty herein provided for shall be held as a debt payable to the county by the person against whom the same shall have been imposed or against whom the penalties shall have accrued; and all such taxes and penalties shall be a lien upon the property in said county and elsewhere in this State of the person against whom said tax shall have been imposed and the penalties shall have accrued.

Section 9. The acceptance of any amount paid for the excise tax levied by this Act shall not preclude the collection of the amount actually due. However, the amount actually paid shall constitute a credit against the amount actually due.

Section 10. Each agent of any railroad company, bus, or truck operator, or other transportation company or agency operating in Shelby County shall report to the county governing body on the first day of October, January, April, and July of each year all shipments of gasoline, or diesel fuel as defined in this Act handled by him or through the station or office which he is an agent, and delivered to any person in Shelby county, Alabama, during the preceding three months, giving the names and addresses of the consignor and consignee shipping and receiving gasoline, or diesel fuel and the number of gallons or pounds contained in each and every shipment.

Section 11. The proceeds of the tax levied by this Act shall be paid into the Gasoline Fund of the Shelby County Board of Revenue and

Control and shall be used exclusively for road construction and road maintenance in Shelby County.

Section 12. Gasoline or diesel fuel used for agricultural or industrial purposes and not used to propel motor vehicles upon the public highways of this county is hereby exempt from the levy of tax contained herein and such exemption may be claimed and refund of any such tax paid for such fuel so used shall be made by the Shelby County Board of Revenue and Control in accordance with regulations adopted by said Board and relating to existing State laws providing for refund of such exempt tax. Fuel used for domestic or commercial heating purposes is hereby exempt from the operation of this tax.

Section 13. This Act shall become effective only after passage by the Legislature of the State of Alabama, approval by the Governor, and approval by a majority of the electors participating in a special election to be held in Shelby County on the first Tuesday after the expiration of thirty days after the approval of this Act by the Governor of the State of Alabama. The special election shall be called by the Shelby County Board of Revenue and Control after giving due notice by publication for one week of such election as is provided by law.

Following said special election and in the event of the approval of this tax by the majority of the electors participating therein, this Act shall become effective on the first day or the fifteenth day of the next following month as may be determined by the Shelby County Board of Revenue and Control.

Section 14. The governing body of Shelby County shall be charged with the duty of enforcing the provisions of this Act.

Section 15. Should any section paragraph or portion of this Act be declared unconstitutional it shall not invalidate the remaining sections, paragraphs or portions hereof.

Section 16. All laws or parts of laws in conflict with this Act are hereby repealed.

THE STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law, deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: May 1, 8, 15, 22, 1969.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 23 day of May, 1969.

C. M. FOWLER,
Judge of Probate.

Also:

By Messrs. Holman, Kilgore, Weeks, Jackson (T), Cherner, Gafford, Yeilding, Sessions, Watkins, Ellis, Money, Bowers and Cook (Jefferson):

H. 596. Applicable in each county having a population exceeding 600,000 according to the then next preceding federal decennial census; and

providing that a permit from the governing body of each such county shall be a prerequisite to the use of public highways and other public ways in the county for construction, installation or commencement of operation therein of public water facilities.

Also:

By Messrs. Cherner, Kilgore, Holman, Weeks, Gafford, Gloor, Yielding, Sessions, Dill, Waggoner, Watkins, Money, Cook (Jefferson) and Bowers:

H. 597. To amend Sections 2 and 3 of Act No. 635, H. 836, Regular Session of 1967 (1967 General Acts, Vol. 2, p. 1445) being an act to create a commission on taxation and services in all counties having populations of 600,000 or more, to prescribe the powers and duties of the commission and to provide for the selection and compensation of the commissioners.

Also:

By Messrs. Adwell, Kilgore, Holman, Weeks, Jackson (T), Gloor, Sessions, Dill, Waggoner, Watkins, Ellis, Money and Cook (Jefferson):

H. 598. To further amend Section 19 of Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of Alabama of 1945, pages 376 et seq.) as heretofore amended.

Also:

By Messrs. Dill, Kilgore, Holman, Weeks, Jackson (T), Gloor, Cherner, Gafford, Yeilding, Sessions, Meeks, Ellis, Watkins, Money, Bowers and Cook (Jefferson):

H. 599. To amend Section 1 of Act No. 528 of the 1959 Regular Session of the Legislature of Alabama (General Acts of Alabama of 1959, p. 1302–1304), providing for the appointment of a zoning board of adjustment in any city having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

Also:

By Messrs. Dill, Kilgore, Holman, Weeks, Gloor, Cherner, Gafford, Yeilding, Sessions, Bowers, Waggoner, Meeks, Watkins, Ellis, Money, Cook (Jefferson) and Adwell:

H. 600. To amend Section 9 of Act No. 414 of the Legislature of Alabama of 1947 (General Acts of 1947, p. 304 et seq.) which fixes, levies and requires the payment of a license tax on cigarettes and tobacco products in counties having a population of 400,000 or more according to the last or any subsequent Federal Census.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 630, 650, 651, 662, and 664. To the Committee on Local Legislation No. 1

H. B.'s 596, 597, 598, 599 and 600. To the Committee on Local Legislation No. 2

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Smith, Hobbie, Culver, Laxson, Bassett, Young, Collier, Brown, Harris and Starnes:

H. 333. Authorizing the Commissioner of Agriculture and Industries, with the approval of the Board of Agriculture and Industries, to establish official grades and standards for the marketing of farm products, fish and seafoods, and to design brands, labels and trademarks in accordance therewith; providing conditions for the use of such brands, labels and trademarks; and prohibiting the misuses thereof; providing for public hearings and publication of certain notices; authorizing said Commissioner, with the approval of the Board of Agriculture and Industries, to establish rules and regulations to implement the purposes of this Act; and prescribing penalties for violations.

Also:

By Messrs. Hain, Steagall and Blanton:

H. 370. To amend further Code of Alabama 1940, Title 21, Section 4, which relates to the appointment of testamentary guardians, so as to change the time for claiming the right to appointment as a testamentary guardian.

Also:

By Mr. Marr:

H. 111. To prohibit the exposing of certain obscene and harmful materials to minors; to define terms, and to prescribe penalties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 333. To the Committee on Agriculture

H. B.'s 370 and 111. To the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

Also:

By Messrs. Melton and Garrett:

H. 624. Relating to Conecuh County; providing further for the compensation of the deputy sheriffs of said county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Conecuh County; providing further for the compensation of the deputy sheriff of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. In Conecuh County the chief deputy sheriff shall be paid a salary of not less than $550 per month and every other deputy shall receive a salary of not less than $500 per month. The exact amount of each of such salaries shall be fixed by the county governing body and shall be paid in equal installments from the general fund in the county treasury or any other funds available for such purpose according to law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the EVERGREEN COURANT, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 24, May 1, May 8, and May 15, all in the year 1969.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me 15th of May, 1969.

HAROLD ADAMS,
Notary Public.

My commission expires April 7, 1973.

By Mr. Steagall:

H. 626. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the City of Ozark and in the territory of Dale County exclusive of Ozark.

Also:

By Mr. Steagall:

H. 627. Relating to counties having populations of not less than 31,000 nor more than 32,000; fixing the compensation and providing an expense allowance for the county governing body; and to validate actual expenses heretofore paid for travel and other expenses incurred in the performance of duties outside the county.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 624, 626 and 627. To the Committee on Local Legislation No. 1

(The above numbered Bill, H. B. 626, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Dill:

H. 197. To amend act proposed at the Special Session of the Alabama Legislature, 1969, by House Bill 90 in order to include children suffering from dyslexia among the children entitled to assistance under such law.

Also:

By Messrs. Springer and Neville:

H. 310. For the relief of widows of governors of Alabama.

Also:

By Messrs. Merrill, Lybrand, Burgess, Downing, Cameron, McElhaney, Edington, Bank, Mathews and Shumate:

H. 432. To amend Act No. 833, S. 128, Regular Session 1965, which creates the State Employees Insurance Board and authorizes such board to provide a health insurance plan for employees of the State: amending Section 1 of such Act so as to redefine the term "employee," as used in said Act.

Also:

By Messrs. Yeilding, Gloor, House, Cherner, Cook (Jefferson), Gafford, Manley, Pennington, McCorquodale, Turnham, Dill, Ellis, Shumate, Garrett, Williams, Bowers, Crane, Adwell, Tuck, Mays, Hardin, Harper, Stembridge, Neville, Crawford, Springer, Collier, Young, Stubbs, Berryman (W), Graham, Hill, Perloff, Downing, Collins (C), Lemley, Collins (W), Burgreen, McDonald, Holladay, Meade, Malone, Wright, Hain, Bolton, Snell, Drake, Beck, McLain, Starnes, Burgess, Hobbie, Cameron, Harris, Melton, Brannan, Jackson (F), Owen (Baldwin), Nettles, Agee, Fine, Robertson, Brown, Culver, Weeks, Holman and Foshee:

H. 81. To authorize and permit teachers, who have retired under the Teachers' Retirement Act, to perform duties as substitute teachers in the public, elementary and high schools, when they are physically and mentally able to do so in the opinion of the employing authority, to prescribe the limitations therefor, and to repeal Act #1038 of the 1961 Legislature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 197. To the Committee on Public Health

H. B.'s 310, 432 and 81. To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Lemley:

H. 431. Relating to counties having population of not less than 25,400 nor more than 25,600 according to the most recent federal decennial census; providing for payment of in county travel expenses for county commissioners, payable from the county treasury.

Also:

By Mr. Lemley:

H. 610. Relating to counties having population of not less than 25,400 nor more than 25,600, according to the most recent federal decennial census; providing for the County Board of Education to set the annual salary of the Superintendent of the County Board of Education.

Also:

By Mr. Dill:

H. 272. To amend Code of Alabama 1940, Title 7 A, Section 2–314, in relation to implied warranties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 431 and 610. To the Committee on Local Legislation No. 1.

H. B. 272. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Springer, Cameron, Hobbie, Harris and McElhaney:

H. 659. To provide that the Board of Revenue, or like governing body now existing or that may be hereafter created in all Counties of Alabama, having a population of not less than 150,000 nor more than 300,000 inhabitants according to the 1960 Federal Census pay to the Recorder of the Recorder's Court of all cities located in said County or counties for ex officio services rendered by the Recorder in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Four Thousand Two Hundred and No/100 (4,200.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury, and providing further for the payment to the designated Prosecuting Attorney of the Recorder's Court located in said County or counties for ex officio services rendered by him in the prosecution of cases in Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Two Thousand Four Hundred and No/100 (2,400.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 659. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 9. Relative to honoring the Veterans of World War I of the State of Alabama for their unselfish service in defending our State and Nation in 1917 and 1918.

Also:

S. J. R. 10. Relative to the American Insurance Association and commending the Birmingham Fire Department of the Birmingham City officials for the outstanding work in achieving this position.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted Joint Rule 4, as amended, and returns same herewith to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Springer, Harris, Cameron, Hobbie and McElhaney.

H. J. R. 41. WHEREAS, The retirement of Miss Agnes Brindley on July 1, 1969, as Administrative Assistant to the State Superintendent of Education marks the culmination of almost 40 years of faithful service as a state employee, and

WHEREAS, Miss Brindley has rendered faithful service through the terms of eleven superintendents, performing her duties expertly and dealing with the public in a most agreeable, courteous, calm, and friendly manner, and

WHEREAS, Miss Brindley has been a guiding hand and a stabilizing influence through years of phenomenal growth within the State Department of Education, and

WHEREAS, All students in the public schools and colleges in Alabama during these years have been beneficiaries of Miss Brindley's faithful services, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREFORE CONCURRING, That this Body wishes to express its deepest appreciation for Miss Brindley's faithful service to the State of Alabama and for her outstanding contributions to the education of its citizens, and further wishes for her many happy years of retirement which she has so well earned.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pierce, the Rules were suspended and the Resolution, H. J. R. 41, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Mathews and Lybrand:

H. J. R. 42. WHEREAS the Honorable Hugh Davis Merrill, prominent attorney of Anniston, who so ably serves his state and area in the Legislature of Alabama in which he has been a highly regarded member for the past ten years, and where he consistently champions the cause of education in its every phase; and

WHEREAS Mr. Merrill has worked long and diligently in gaining support for Jacksonville State University by use of his persuasive talents and legislative abilities which are immeasurably effective. His many contributions to every area of the development and growth of this institution have helped to make it the fine university which it is today and to bring to it the recognition which it so richly deserves; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Business Administration Building at Jacksonville State University be named and known as the Hugh Merrill Hall in grateful appreciation of the many contributions of Representative Merrill to this institution.

HOUSE MESSAGE

On motion of Mr. Albea, the Rules were suspended and the Resolution, H. J. R. 42, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Neville:

H. J. R. 43. WHEREAS Mrs. Ann Davis of Eufaula, Alabama rescued three small Negro boys from drowning, when she jumped into eight feet of water on May 20, 1969 to pull them to safety; and

WHEREAS Mrs. Davis who was formerly a life guard and is currently employed as a waitress, is the mother of four small children and is expecting another. She completely disregarded her own personal safety in order to save these small boys who but for her quick thinking and fast action most likely would have drowned before others came to aid her; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Mrs. Davis for her heroic actions, for her aquatic skill and for her selfless devotion to the cause of humanity without concern for herself. We assure her of our highest admiration and extend to her all best wishes for her continued good health and happiness and for that of her family.

RESOLVED FURTHER, That copies of this resolution be sent to Mrs. Davis, to the Associated Press and to the United Press International.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Clark, the Rules were suspended and the Resolution, H. J. R. 43, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Turnham, Higginbotham and Brassell:

H. J. R. 39. WHEREAS Mr. H. Earle Williams' retirement on June 10, 1969 ends more than ten years of outstanding service as head of the Management Service, Cooperative Extension Service, Auburn University;

WHEREAS Mr. Williams, a native of Wilcox County who has also lived in Marengo and Lee Counties, and wherever he has lived has always given freely of his time and talents for the betterment of his home community, the State and the Nation;

WHEREAS Mr. Williams has been not just a member but an active leader and motivating force in far too many civic, social, religious, political and charitable organizations to enumerate here;

WHEREAS Mr. Williams has always been particularly interested in the development of the youth of this State and has contributed much of his time to guiding and working with the boys and girls of this State. Among his activities in this field are working with the Boy Scouts of America on all levels of that organization from local troups to the National Council. He received the Silver Beaver Award from the Georgia-Alabama Council of Boy Scouts in 1958. He has also served on the Board of Directors of the Tallecanocko Girl Scouts Council, as Faculty Advisor to Alpha Mu Chapter of Sigma Alpha Epsilon fraternity and as a member of the Faculty Advisors Council at Auburn University; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama salutes Mr. H. Earle Williams on his retirement and hereby extends to him grateful appreciation for his many fine contributions to the progress and welfare of the State of Alabama.

BE IT FURTHER RESOLVED That the Clerk of the House of Representatives transmit a copy of this resolution to Mr. H. Earle Williams, 523 South College Street, Auburn, Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Torbert, the Rules were suspended and the Resolution, H. J. R. 39, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORTS OF COMMITTEES

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Skidmore, Folsom, Vacca, Albea, Bailes, Hawkins, Morrow, Childs, Gilmore, Giles, Branyon, Jackson, Nabors, Clark, Radney, O'Bannon, Oden, Lolley, Adams, Leonard, Torbert, Goodwyn and McCarley:

S. 296. To provide a state scholarship program to promote the education of nurses at the Lurleen B. Wallace School of Nursing, Jacksonville State University; and making an appropriation therefor.

By Messrs. Skidmore, Folsom, Vacca, Albea, Bailes, Hawkins, Morrow, Childs, Gilmore, Giles, Branyon, Jackson, Nabors, Oden, Radney, O'Bannon, Clark, Lolley, Adams, Leonard, Torbert, McCarley and Goodwyn:

S. 297. To provide a state scholarship program to promote the education of nurses in the junior colleges of Alabama operated under the jurisdiction of the State Board of Education; and making an appropriation therefor.

By Messrs. Skidmore, Folsom, Vacca, Albea, Bailes, Oden, Hawkins, Morrow, Childs, Gilmore, Giles, Branyon, Jackson, Nabors, Radney, O'Bannon, Clark, Lolley, Adams, Leonard, Torbert, Goodwyn and McCarley:

S. 298. To amend Sections 1, 2, 3 and 4 of Act #590, H. 138, Page 827, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

By Messrs. Skidmore, Folsom, Vacca, Albea, Oden, Bailes, Hawkins, Morrow, Childs, Gilmore, Giles, Branyon, Jackson, Nabors, Radney, O'Bannon, Clark, Lolley, Adams, Leonard, Torbert, Goodwyn and McCarley:

S. 299. To amend Sections 1, 2, 3, and 4 of Act No. 591, H. 140, Page 828, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

By Messrs. Skidmore, Folsom, Vacca, Albea, Bailes, Nabors, Hawkins, Morrow, Childs, Oden, Gilmore, Giles, Branyon, Jackson, Clark, Radney, O'Bannon, Lolley, Adams, Leonard, Torbert, Goodwyn and McCarley:

S. 300. To authorize and direct the Board of Nursing created under Act 867, S. 210, Regular Session 1965 (Acts 1965, P. 1615), to contract for and to provide technical assistance and consultant services to the State Board of Education for certain junior colleges engaged in, or to become engaged in, teaching and training professional nurses, establishing procedures for providing such assistance, and making appropriations therefor.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Vacca (with amendment):

S. 434. To amend further Section 1 of Act No. 208, S. 34 of the 1966 Special Session, (Acts 1966, p. 256) entitled "An Act To authorize, regulate and provide for the payment by the State of Alabama of compensation to the surviving dependents of certain peace or law enforcement officers and certain firemen who are killed or whose death results from an injury received in the course of his employment and while he is engaged in the performance of his duties; to designate the state board of adjustment as the state agency or awarding authority to hear, determine and order the payment of claims for compensation hereunder; to make an appropriation for payment of awards," so as to include the State Board of Pardons and Paroles and its employees in the definition of "peace officer."

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Harris:

S. 308. To amend Code of Alabama 1940, Title 37, Section 540, which relates to the power of certain cities, classified according to population, to abate or reduce assessments made for public improvements, in order to change the population classification.

Mr. Carr, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Lindsey:

S. 405. To amend Section 6, as amended, and Section 7 of Act No. 158, Acts of Alabama, First Special Session 1956, entitled An Act to provide for and fix the manner in which the Director of Conservation may execute oil, gas and mineral leases on all lands under the jurisdiction of the Department of Conservation; to further provide for the manner in which the Director of Conservation may execute oil, gas and mineral leases on lands belonging to other State departments or agencies; to further provide for the manner in which lands or any rights of interest therein under any navigable streams or navigable waters, bays, estuaries, lagoons, bayous or lakes, and the shores along the navigable waters to high tide mark, and submerged lands in the Gulf of Mexico within the historic seaward boundary of this State, which is hereby declared to extend seaward six leagues from the land bordering the Gulf, may be leased and managed by the Director of Conservation; to provide for pooling and unitization agreements; to provide for the disposition of revenue derived from such leases; to provide for the Governor's approval for all such agreements, and to further provide for the repeal of all laws in conflict with the provisions of this Act.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint

Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 8. Appropriating expense money to cover expenses of the delegation of legislators to attend the annual Work Conference on Southern Regional Education.

Also:

S. J. R. 22. Commending the Ninety-ninth Anniversary of the Annual Masonic Day Celebration in Florala.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 82. To be known as the Alabama Consumer Credit Code, relating to certain consumer and other credit transactions and constituting the uniform consumer credit code; consolidating and revising certain aspects of the law relating to consumer and other loans, consumer and other sales of goods, services and interests in land, and consumer leases; revising the law relating to usury; regulating certain practices relating to insurance in consumer credit transactions; providing for administrative regulation of certain consumer credit transactions; making uniform the law with respect thereto; and repealing inconsistent legislation, including the following laws and parts of law:

Code of Alabama 1940: Title 9, § § 61, 65, and 66; Title 28, § 296; and Title 51, § 495 as amended by Act No. 680, General Acts of Alabama, Regular Session (1953); and Act No. 374 General Acts of Alabama, Regular Session 1959, known as the Alabama Small Loan Act; and to amend the following laws:

Code of Alabama 1940: Title 9, § 60; and Title 5, § 120.
as amended.

On motion of Mr. Turner, further consideration of the Bill, S. B. 82, as amended was postponed until the Fourteenth Legislative Day.

RESOLUTIONS

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 24.

Resolved by the Senate that the following Bills shall be the paramount and continuing order of business for the Eleventh Legislative Day only:

BILL NO.	PAGE
SB 250	17
SB 291	31
SB 301	24
SB 302	24
SB 430	49
SB 236	34
SB 386	49
SB 182	58
SB 183	59
SB 184	59
SB 185	60
SB 186	61
SB 189	62
SB 230	50
SB 241	53
SB 246	53
SB 276	50
SB 289	64
SB 307	55
SB 329	51
SB 330	51
SB 364	52
SB 365	53
SB 366	55
SB 372	66
SB 387	67
SB 79	70
SB 80	57

On motion of Mr. Clark, the Resolution was adopted by the Senate.

BILLS ON THIRD READING

SPECIAL ORDERS

The Senate proceeded to consideration of the special, paramount and continuing order of business for the day, the first of which was the Bill:

S 250. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding $4,000,000 for the purpose of financing the work required of the Alabama State Docks as the local sponsoring agency for the improvement in Mobile Harbor, Alabama, known as the Theodore Ship Channel project or for the purpose of financing the construction, dredging of approaches thereto and equipment of works of internal improvement for use and operation as a part of additional State Docks facilities.

And said Bill, S. B. 250, was then read a third time at length as required by the Constitution and passed and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 1.

Yeas:

Messrs.:	Giles	Lolley	Radney	
Albea	Gilmore	McDermott	Skidmore	
Branyon	Givhan	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Lindsey	Pierce	Vacca	
Engel				—24

Nay: Mr. Dominick —1

The Bill:

S. 291. Relating to the authority of the Highway Director to alter plans or character of work on construction projects after they have been let to contract; to determine the need for new or additional work not contemplated or included in the original construction contract; and to enter into a supplemental agreement with the prime contractor for extra work or to direct the prime contractor to perform the extra work on a force account basis.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pierce	
Albea	Folsom	McDermott	Radney	
Branyon	Giles	Nabors	Skidmore	
Childs	Givhan	O'Bannon	Stone	
Clark	Goodwyn	Oden	Turner	
Cooper	Hawkins	Pelham	Vacca	
Dominick	Lindsey			—25

Nays: —0

The Bill:

S. 301. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding $3,000,000.00 in aggregate principal amount.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 0.

Yeas:

Messrs.:	Engel	Hawkins	Pierce	
Albea	Folsom	Lindsey	Radney	
Branyon	Giles	Lolley	Stone	
Childs	Gilmore	McDermott	Torbert	
Clark	Givhan	Nabors	Turner	
Cooper	Goodwyn	Oden	Vacca	
Dominick	Harris	Pelham		—26

Nays: —0

The Bill:

S. 302. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding $3,000,000.00 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the Special Tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority, to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 0.

Yeas:

Messrs.:	Engel	Hawkins	Pelham	
Albea	Folsom	Lindsey	Pierce	
Branyon	Giles	Lolley	Radney	
Childs	Gilmore	McDermott	Stone	
Clark	Givhan	Nabors	Torbert	
Cooper	Goodwyn	O'Bannon	Turner	
Dominick	Harris	Oden		—26

Nays: —0

The Bill:

S. 430. Relating to the Fourth Judicial Circuit; providing for an additional circuit court judge in such circuit, and for the designation by number of the associate judgeships in such circuit.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 20; Nays 3.

Yeas:

Messrs.:	Folsom	Lindsey	Pelham	
Albea	Giles	Lolley	Pierce	
Bailes	Goodwyn	McDermott	Stone	
Clark	Harris	Nabors	Turner	
Cooper	Leonard	O'Bannon	Vacca	
Engel				—20

Nays: Messrs. Branyon, Dominick, Givhan —3

MOTION TO RECONSIDER

Mr. Cooper moved that the Senate reconsider the vote by which it passed the Bill, S. B. 430, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

BILLS ON THIRD READING RESUMED

The Bill:

S. 236. Relating to Highways; to control and regulate the erection and maintenance of outdoor advertising devices or signs on lands adjacent to the Federal-Aid Primary System and the National System of Interstate and Defense Highways in Alabama; to provide compensation for removal or relocation of advertising devices; to define terms; to provide for violations and penalties; to provide how this Act may be cited; and to provide a severability clause.

was taken up.

The Standing Committee on Public Buildings and Grounds reported the following substitute for the Bill, S. B. 236, to-wit:

SUBSTITUTE FOR S. B. 236

A BILL
TO BE ENTITLED
AN ACT

Relating to Highways; to control and regulate the erection and maintenance of outdoor advertising devices or signs on lands adajcent to the Federal-aid Primary System and the National System of Interstate and Defense Highways in Alabama; to provide compensation for removal or relocation of advertising devices; to define terms; to provide for violations and penalties; to provide how this act may be cited; and to provide a severability clause.

Be it enacted by the Legislature of the State of Alabama:

Section I. This Act shall be known as and may be cited as the "Highway Beautification Act—Outdoor Advertising."

Section II. The Legislature hereby finds and declares:

(A) That outdoor advertising is a legitimate, commercial use of private property adjacent to roads and highways;

(B) That the erection and maintenance of outdoor advertising signs, displays, and devices in areas adjacent to interstate highways and primary highways should be regulated in order to protect the public investment in such highways, to promote the recreational value of public travel, to preserve natural beauty, and to promote the reasonable, orderly and effective display of such signs, displays and devices;

(C) That outdoor advertising is an integral part of the business and marketing function, and an established segment of the national economy, and should be allowed to operate in business areas; and

(D) The regulatory standards set forth in Section V. of this Act are consistent with customary use in this State and will properly and adequately carry out each and all of the purposes of this Act.

Section III. As used in this Act, unless the context otherwise requires:

(A) Business area shall mean any part of an adjacent area which is at any time zoned for business, industrial or commercial activities under the authority of any law of this State; or not zoned, but which constitutes an unzoned commercial or industrial area as herein defined;

(B) Center line of the highway shall mean a line equidistant from the edges of the median separating the main-traveled ways of a divided highway, or the centerline of the main-traveled way of a nondivided highway;

(C) Director shall mean the State of Alabama Highway Department;

(D) Adjacent area shall mean an area which is adjacent to and within 660 feet of the nearest edge of the right-of-way of any interstate or primary highway, which 660 feet distance shall be measured horizontally along a line normal or perpendicular to the center line of the highway;

(E) Erect shall mean to construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish; but it shall not include any of the foregoing activities when performed as an

incident to the change of advertising message or customary maintenance of the sign structure;

(F) Interstate highway shall mean any highway at any time officially designated as a part of the National System of Interstate and Defense Highways by the Director and approved by the appropriate authority of the federal government.

(G) Maintain shall mean to allow to exist;

(H) Primary highway shall mean any highway, other than an interstate highway, at any time officially designated as a part of the federal-aid primary system by the Director and approved by the appropriate authority of the federal government;

(I) Sign shall mean any outdoor advertising sign, display, device, notice, figure, painting, drawing, message, placard, poster, billboard, or other thing, which is designed, intended, or used to advertise or inform, any part of the advertising or informative contents of which is visible from any place on the main-traveled way of any portion of an interstate highway or primary highway;

(J) Unzoned commercial or industrial areas shall mean those areas which are not zoned and on which there is located one or more permanent structures devoted to a business or industrial activity or on which a commercial or industrial activity is actually conducted whether or not a permanent structure is located thereon, and the area along the highway extending outward 850 feet from and beyond the edge of such activity. The director may at his discretion permit otherwise lawful signs to be erected on the opposite side of two lane highways in unzoned commercial or industrial areas as defined by this subsection where such is deemed not to detract from asthetic value.

All measurements shall be from the outer edges of the regularly used buildings, parking lots, storage or processing areas of the commercial or industrial activities, not from the property lines of the activities, unless said property lines coincide with the limits of the regularly used buildings, parking lots, storage or processing areas and shall be along or parallel to the edge or pavement of the highway.

(K) Commercial or industrial activities for purposes of unzoned industrial and commercial areas shall mean those activities generally recognized as commercial or industrial by local zoning authorities in this state, except that none of the following activities shall be considered commercial or industrial:

1. outdoor advertising structures.

2. agricultural, forestry, ranching, grazing, farming and similar activities, including, but not limited to wayside fresh produce stands.

3. activities normally or regularly in operation less than three months of the year.

4. transient or temporary activities.

5. activities not visible from the main-traveled way.

6. activities more than 660 feet from the nearest edge of the right-of-way.

7. activities conducted in a building principally used as a residence.

8. railroad tracks and minor sidings.

9. areas which are predominantly used for residential purposes.

(L) Safety rest areas shall mean an area or site established or maintained within or adjacent to the right-of-way by or under public supervision or control for the convenience of the traveling public.

(M) Information center shall mean an area or site established or maintained at safety rest areas for the purpose of informing the public of places of interest within the state and providing such other information as the Director may consider necessary.

(N) Main-traveled way shall mean the through traffic lanes exclusive of frontage roads, auxiliary lanes and ramps.

Section IV. No sign shall, subject to the provisions of Section V. of this Act, be erected or maintained in an adjacent area after the effective date of this Act, except the following:

(A) Directional and other official signs, including, but not limited to, signs pertaining to natural wonders, scenic and historical attractions, safety rest areas and information centers, which are required or authorized by law, and which comply with regulations which shall be promulgated by the Director relative to their lighting, size, number, spacing and such other requirements as may be appropriate to implement This Act; provided that such regulations shall not be inconsistent with, nor more restrictive than, such national standards as may be promulgated from time to time by the Secretary of Transportation of the United States pursuant to subsection (c) of Section 131 of Title 23, United States Code.

(B) Signs advertising the sale or lease of property upon which they are located.

(C) Signs advertising activities conducted on the property on which they are located.

(D) Signs which are located, or which are to be located, in business areas and which comply, or will comply when erected, with the provisions of Section V. of this Act.

(E) Signs or devices which advertise or designate exclusively the location of the facilities of any public utility located along the interstate or primary highway for the convenience or protection of the using public or the protection of the facilities of the public utility.

Section V. The Director shall effectively control or cause to be controlled, the erection and maintenance of outdoor advertising signs, displays and devices in all business areas that are erected subsequent to the effective date of this Act. Whenever a bona fide state, county or local zoning authority has made a determination of customary use, as to size, lighting and spacing such determination may be accepted in lieu of controls by agreement in the zoned commercial and industrial area within the geographical jurisdiction of such authority. In all other controlled commercial and industrial areas, the criteria set forth below shall apply:

(A) Size of Signs.

1. The maximum area for any one sign shall be 1,200 square feet with a maximum height of 30 feet and maximum length of 60 feet, inclusive of any

border and trim but excluding the base or apron, supports and other structural members.

2. The area shall be measured by the smallest square, rectangle, triangle, circle or combination thereof which will encompass the entire sign.

3. A sign structure may contain one or two signs per facing and may be placed double-faced, back to back or V-type, provided that if two signs are used facing the same direction that the aggregate total area shall not exceed 1200 square feet.

(B.) Lighting.

1. Signs shall not be erected or maintained which contain, include or are illuminated by any flashing, intermittent or moving lights, except those giving public service information such as, but not limited to time, date, temperature, weather or news.

2. Signs shall not be erected or maintained which are not effectively shielded so as to prevent beams or rays of light from being directed at any portion of traveling way of any interstate or primary highway and are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle.

3. Signs shall not be erected or maintained which shall be so illuminated that they obscure or interfere with any official traffic sign, device or signal.

4. This subsection shall not be construed to require more strict regulation of lighting of signs permitted under Section V of this Act than is required by local authorities for signs permitted under Subsection C of Section IV of this Act which are located in the same business area, if the general intent of requirements of Section V.

(B.) 1, 2, and 3, are covered adequately in local authority regulations to protect the safety of the traveling public.

(C.) Spacing.

1. Signs shall not be erected or maintained in such a manner as to obscure, or otherwise physically interfere with an official traffic sign, signal or device, or which obstructs or physically interferes with the driver's view of approaching, merging or intersecting traffic.

2. Signs shall not be erected or maintained which do not comply with all applicable county or municipal codes and ordinances, including but not limited to zoning, building and signs, codes, as locally interpreted, applied and enforced.

3. Signs shall not be erected or maintained closer to another sign other than a sign described in Subsection A, B, C, of Section IV. of this Act than the following prescribed distances. These spacing provisions do not apply to signs separated by buildings or other obstructions in such manner that only one sign located within the above spacing distance is visible from the highway at any one time. The minimum distance between signs shall be measured along the nearest edge of the pavement between points directly opposite the signs along each side of the highway.

a. On all interstate highways, there must be at least 500 feet between sign structures on the same side of the highway.

b. On interstate highways located outside the zoning authority of incorporated cities, no sign structure is permitted within 500 feet of an interchange or intersection at grade or safety roadside rest areas. Such distances shall be measured along the highway from the sign structure to the nearest point of beginning or ending of pavement widening at the exit from or entrance to the main-traveled way.

c. On primary highways located outside the zoning authority of incorporated cities, there must be at least 300 feet between sign structures on the same side of such highway.

d. On primary highways located within the zoning authority of incorporated cities, there must be at least 100 feet between sign structures on the same side of such highway.

(D.) General.

1. Signs shall not be erected or maintained which imitate or resemble any official traffic sign, signal or device.

2. Signs shall not be erected or maintained upon trees, or painted or drawn upon rocks or other natural features.

3. Signs shall not be erected or maintained which are structurally unsafe or in substantial disrepair.

4. Signs which are obsolete shall be removed.

Section VI.

(A.) Signs which are lawfully in existence on the effective date of this act but which do not conform to the requirements herein are declared nonconforming and shall be removed by the end of the fifth year from the effective date of this act.

(B.) Signs lawfully erected after the effective date of this act and which subsequently do not conform to the requirements of this act shall be removed by the end of the fifth year after it becomes nonconforming.

(C.) Should any commercial or industrial activity, which has been used in defining or delineating an unzoned area, cease to operate, the unzoned area shall be redefined or redelineated based on the remaining activities. Any signs located within the former unzoned area but located outside the unzoned area, based on its new dimensions, shall become nonconforming.

Section VII. Just compensation shall be paid upon the removal or relocation on or after the effective date of this Act, of any of the following signs which are not then in conformity with the provisions of this Act:

(A.) Signs lawfully in existence on the effective date of this Act.

(B.) Signs lawfully in existence on land adjoining any highway made an interstate or primary highway after the effective date of this Act.

(C.) Signs lawfully erected on or after the effective date of this Act.

Section VIII. The just compensation required by the provisions of Section VII. of this Act shall be paid for the following:

(A.) The taking from the owner of such sign, all right, title and interest in and to such sign and his leasehold relating thereto, and compensation therefor, including severance damage to the remaining portion of the sign shall be included in the amounts paid to the respective owner, exclusive to any damage of factories involved in manufacturing, erection, maintenance or servicing of any outdoor advertising signs or displays.

(B.) The taking from the owner of the real property on which the sign is located of the right to erect and maintain such signs thereon.

Section IX. Compensation required under the provisions of Sections VII. and VIII. of this Act shall be paid to the person or persons entitled thereto. If the Director and the owner or owners reach agreement on the amount of compensation payable to such owner or owners in respect to any removal or relocation, the Director may pay such compensation to the owner or owners and thereby acquire or terminate his rights or interests as by purchase.

If the Director and the owner do not reach agreement as to such amount of compensation, the Director may institute an action to have such compensation determined in an action at law. Such an action shall be instituted by filing a Petition in the Probate Court of the County where the advertising device and land are located. Such action for determination of compensation shall thereupon proceed and be treated in accordance with the provisions of Titles 19 and 23, Code of Alabama 1940 (Recompiled 1958) to the extent not inconsistent with the provisions of this Act, the same as if such action had been commenced thereunder by a Petition by the State for the taking of property under its power of eminent domain.

Section X. On and after the effective date of this Act, all signs, or structures on which they are displayed, shall have stated thereon the names and addresses of the owner thereof, and the date of its erection; provided that if the address of the owner is on file with the Director it need not be stated thereon.

Section XI. After the effective date of this Act, no sign permitted by the provisions of Section V. of this Act may be erected without first obtaining a permit therefor from the Director. No permit shall be required for signs conforming to the provisions of this Act which are in existence upon the effective date of this Act until the end of the fifth calendar year. The application for a permit shall be on a form provided by the Director and shall contain such information as the Director may require. Upon receipt of an application containing all required information in due form and properly executed, the Director shall issue a permit to the applicant for the erection of the sign; provided, that such sign will not violate any provisions of this Act. A charge of $5.00 will be made for each sign covered in the permit. The application for a permit shall be accompanied by the required fee.

Permits shall be for the calendar year, and shall be renewed annually upon payment of a fee of $3.50 for the following calendar year without the necessity of filing a new application. The fee shall not be prorated for fractions of the year. Only one permit shall be required for double-faced, back-to-back or V-type signs. Advertising copy may be changed at any time without the payment of an additional fee and nothing in this Act shall be construed to give the Director any power of censorship with regard thereto.

In addition to the permit, the Director shall issue an identification tag or decal to the applicant upon the payment of the fee which shall be permanently affixed to the sign, display or device for which the permit was issued.

Such tag or decal shall be so affixed and in a uniform position on all such signs, displays and devices. The size, location and content, including identification numbers, and the materials from which such tags or decals are to be made, shall be determined by the Director. All signs, displays and devices which do not have the tag or decal attached thereto as provided in this Section, shall be considered as being nonconforming within the terms of this Act.

The Director shall issue a permit for the sign, display or device described in any application duly made under this Section unless it is in violation of this Act. Any permit may be revoked after a public hearing upon 30 days written notice if the Director finds that any statement made in the application thereof was false or misleading or that the advertising sign, display or device covered thereby is not in good general condition and in reasonable state of repair, or as otherwise in violation of this Act; provided, that such false or misleading statement has not been corrected and that the sign, display or device has not been brought into compliance with this Act prior to said public hearing. The Director for good cause shown at such hearing may extend the time within which such sign, display or device may be brought into conformance or other remedial action taken.

Section XII. Any sign erected or maintained in an adjacent area after the effective date of this Act, in violation of the provisions of this Act or the rules and regulations promulgated under the provisions of this Act, may be removed by the Director upon 30 days prior notice by certified or registered mail to the owner thereof and to the owner of the land on which said sign is located. No notice shall be required to be given to the owner of a sign whose name is not stated on the sign or on the structure on which it is displayed, or whose address is not stated thereon and is not on file with the Director.

Section XIII. Whoever erects or maintains a sign in violation of the provisions of this Act or in violation of rules and regulations promulgated by the Director under the provisions of this Act shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined not less than $25.00 nor more than $100.00.

Section XIV. The Director in behalf of the State is authorized and directed to seek agreement with the Secretary of Transportation of the United States acting under the provisions of Section 131, Title 23, United States Code, as amended, that the provisions of this Act are in conformance with Section 131, Title 23, United States Code, and provide effective control of outdoor advertising signs as set forth therein.

Section XV. The Director may accept any allotment of funds by the United States, or any agency thereof, appropriated to carry out the purposes of Section 131, Title 23, United States Code, as amended, from time to time. The Director shall take such steps as may be necessary from time to time to obtain from the United States, or the appropriate agency thereof, funds allotted and appropriated, pursuant to Section 131, Title 23, United States Code, for the purposes of paying the federal government's 75 per cent share of the just compensation to be paid to sign owners and owners of real property under the terms of subsection (g) of Section 131, Title 23, United States Code, and Sections VII., VIII., and IX. of this Act.

Section XVI. The Director may promulgate regulations he deems necessary to implement and enforce provisions of this Act.

Section XVII. Despite any contrary provision in this Act, no sign shall be required to be removed unless at the time of removal there are sufficient

funds, from whatever source, appropriated and immediately made available to the Director with which to pay the just compensation required under Sections VII., VIII. and IX. of this Act, and unless at such time the Federal funds required to be contributed to this State under Section 131 of Title 23, United States Code, have been appropriated and are immediately available to the State.

Section XVIII. If any provision or clause of this Act or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Section XIX. All fees collected for the issuance of permits provided for under this Act shall be paid into the State Treasury to be credited to the Public Road and Bridge Fund.

Section XX. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Goodwyn, said substitute was laid on the table.

Mr. Goodwyn then offered the following substitute for the Bill, S. B. 236, to-wit:

SUBSTITUTE FOR SB 236

A BILL
TO BE ENTITLED
AN ACT

Relating to highways; to control and regulate the erection and maintenance of outdoor advertising devices or signs on lands adjacent to the federal-aid primary system and the national system of interstate and defense highways in Alabama; to provide compensation for removal or relocation of advertising devices; to define terms; to provide for violations and penalties; to provide how this act may be cited; and to provide a severability clause.

Be it enacted by the Legislature of the State of Alabama:

Section I. This Act shall be known as and may be cited as the "Highway Beautification Act—Outdoor Advertising".

Section II. The Legislature hereby finds and declares:

A. That outdoor advertising is a legitimate, commercial use of private property adjacent to roads and highways;

B. That the erection and maintenance of outdoor advertising signs, displays, and devices in areas adjacent to interstate highways and primary highways should be regulated in order to protect the public investment in such highways, to promote the recreational value of public travel, to preserve natural beauty, and to promote the reasonable, orderly and effective display of such signs, displays and devices;

C. That outdoor advertising is an integral part of the business and marketing function, and an established segment of the national economy, and should be allowed to operate in business areas; and

D. The regulatory standards set forth in Section V. of this Act are consistent with customary use in this State and will properly and adequately carry out each and all of the purposes of this Act.

Section III. As used in this Act, unless the context otherwise requires:

(A.) Business area shall mean any part of an adjacent area which is at any time zoned for business, industrial or commercial activities under the authority of any law of this State; or not zoned, but which constitutes an unzoned commercial or industrial area as herein defined;

B. Center line of the highway shall mean a line equidistant from the edges of the median separating the main-traveled ways of a divided highway, or the centerline of the main-traveled way of a nondivided highway;

C. Director shall mean the State of Alabama Highway Department;

D. Adjacent area shall mean an area which is adjacent to and within 660 feet of the nearest edge of the right-of-way of any interstate or primary highway, which 660 feet distance shall be measured horizontally along a line normal or perpendicular to the center line of the highway;

E. Erect shall mean to construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish; but it shall not include any of the foregoing activities when performed as an incident to the change of advertising message or customary maintenance of the sign structure;

F. Interstate highway shall mean any highway at any time officially designated as a part of the National System of Interstate and Defense Highways by the Director and approved by the appropriate authority of the federal government.

G. Maintain shall mean to allow to exist;

H. Primary highway shall mean any highway, other than an interstate highway, at any time officially designated as a part of the federal-aid primary system by the Director and approved by the appropriate authority of the federal government;

I. Sign shall mean any outdoor advertising sign, display, device, notice, figure, painting, drawing, message, placard, poster, billboard, or other thing, which is designed, intended, or used to advertise or inform, any part of the advertising or informative contents of which is visible from any place on the main-traveled way of any portion of an interstate highway or primary highway;

J. Unzoned commercial or industrial areas shall mean those areas which are not zoned and on which there is located one or more permanent structures devoted to a business or industrial activity or on which a commercial or industrial activity is actually conducted whether or not a permanent structure is located thereon, and the area along the highway extending outward 850 feet from and beyond the edge of such activity. The director may at his discretion permit otherwise lawful signs to be erected on the opposite side of two lane highways from unzoned commercial or industrial areas as defined by this subsection where such is deemed not to detract from aesthetic value.

All measurements shall be from the outer edges of the regularly used buildings, parking lots, storage or processing areas of the commercial or in-

dustrial activities, not from the property lines of the activities, unless said property lines coincide with the limits of the regularly used buildings, parking lots, storage or processing areas and shall be along or parallel to the edge or pavement of the highway.

K. Commercial or industrial activities for purposes of unzoned industrial and commercial areas shall mean those activities generally recognized as commercial or industrial by local zoning authorities in this state, except that none of the following activities shall be considered commercial or industrial:

1. outdoor advertising structures.

2. agricultural, forestry, ranching, grazing, farming and similar activities, including, but not limited to wayside fresh produce stands.

3. activities normally or regularly in operation less than three months of the year.

4. transient or temporary activities.

5. activities not visible from the main-traveled way.

6. activities more than 660 feet from the nearest edge of the right-of-way.

7. activities conducted in a building principally used as a residence.

8. railroad tracks and minor sidings.

9. areas which are predominantly used for residential purposes.

L. Safety rest areas shall mean an area or site established or maintained within or adjacent to the right-of-way by or under public supervision or control for the convenience of the traveling public.

M. Information center shall mean an area or site established or maintained at safety rest areas for the purpose of informing the public of places of interest within the state and providing such other information as the Director may consider necessary.

N. Main-traveled way shall mean the through traffic lanes exclusive of frontage roads, auxiliary lanes and ramps.

Section IV. No sign shall, subject to the provisions of Section V. of this Act, be erected or maintained in an adjacent area after the effective date of this Act, except the following:

A. Directional and other official signs, including, but not limited to, signs pertaining to natural wonders, scenic and historical attractions, safety rest areas and information centers, which are required or authorized by law, and which comply with regulations which shall be promulgated by the Director relative to their lighting, size, number, spacing and such other requirements as may be appropriate to implement this Act; provided that such regulations shall not be inconsistent with, nor more restrictive than, such national standards as may be promulgated from time to time by the Secretary of Transportation of the United States pursuant to subsection (c) of Section 131 of Title 23, United States Code.

B. Signs advertising the sale or lease of property upon which they are located.

C. Signs advertising activities conducted on the property on which they are located.

D. (1) Signs located in business areas on the effective date of this act.

(2) Signs to be erected in business areas subsequent to the effective date of this Act, which when erected will comply with the provisions of Section V hereafter.

Section V. The Director shall effectively control or cause to be controlled, the erection and maintenance of outdoor advertising signs, displays, and devices in all business areas that are erected subsequent to the effective date of this Act. Whenever a bona fide state, county or local zoning authority has made a determination of customary use, as to size, lighting and spacing such determination may be accepted in lieu of controls by agreement in the zoned commercial and industrial area within the geographical jurisdiction of such authority. In all other controlled commercial and industrial areas, the criteria set forth below shall apply:

A. Size of Signs:

1. The maximum area for any one sign shall be 1,200 square feet with a maximum height of 30 feet and maximum length of 60 feet, inclusive of any border and trim but excluding the base or apron, supports and other structural members.

2. The area shall be measured by the smallest square, rectangle, triangle, circle or combination thereof which will encompass the entire sign.

3. A sign structure may contain one or two signs per facing and may be placed double-faced, back to back or V-type, provided that if two signs are used facing the same direction that the aggregate total area shall not exceed 1200 square feet.

B. Lighting

1. Signs shall not be erected or maintained which contain, include or are illuminated by any flashing, intermittent or moving lights, except those giving public service information such as, but not limited to time, date, temperature, weather or news.

2. Signs shall not be erected or maintained which are not effectively shielded so as to prevent beams or rays of light from being directed at any portion of traveling way of any interstate or primary highway and are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle.

3. Signs shall not be erected or maintained which shall be so illuminated that they obsecure or interfere with any official traffic sign, device or signal.

4. This subsection shall not be construed to require more strict regulation of lighting of signs permitted under Section V. of this Act than is required by local authorities for signs permitted under Subsection C of Section IV of this Act which are located in the same business area, if the general intent of requirements of Section V., B., 1., 2., and 3. are covered adequately in local authority regulations to protect the safety of the traveling public.

C. Spacing

1. Signs shall not be erected or maintained in such a manner as to obscure, or otherwise physically interfere with an official traffic sign, signal or device, or which obstructs or physically interferes with the driver's view of approaching, merging or intersecting traffic.

2. Signs shall not be erected or maintained which do not comply with all applicable county or municipal codes and ordinances, including but not limited to zoning, building and signs, codes, as locally interpreted, applied and enforced.

3. Signs shall not be erected or maintained closer to another sign other than a sign described in Subsection A., B., C., of Section IV. of this Act than the following prescribed distances. These spacing provisions do not apply to signs separated by buildings or other obstructions in such manner that only one sign located within the above spacing distance is visible from the highway at any one time. The minimum distance between signs shall be measured along the nearest edge of the pavement between points directly opposite the signs along each side of the highway.

a. On all interstate highways, there must be at least 500 feet between sign structures on the same side of the highway.

b. On interstate highways located outside the zoning authority of incorporated cities, no sign structure is permitted within 500 feet of an interchange or intersection at grade or safety roadside rest areas. Such distances shall be measured along the highway from the sign structure to the nearest point of beginning or ending of pavement widening at the exit from or entrance to the main-traveled way.

c. On primary highways located outside the zoning authority of incorporated cities, there must be at least 300 feet between sign structures on the same side of such highway.

d. On primary highways located within the zoning authority of incorporated cities, there must be at least 100 feet between sign structures on the same side of such highway.

D. General

1. Signs shall not be erected or maintained which imitate or resemble any official traffic sign, signal or device.

2. Signs shall not be erected or maintained upon trees, or painted or drawn upon rocks or other natural features.

3. Signs shall not be erected or maintained which are structurally unsafe or in substantial disrepair.

4. Signs which are obsolete shall be removed.

Section VI. A. Signs outside of business areas which are lawfully in existence on the effective date of this act but which do not conform to the requirements herein are declared nonconforming and shall be removed by the end of the fifth year from the effective date of this act.

B. Signs lawfully erected after the effective date of this act and which subsequently do not conform to the requirements of this act shall be removed by the end of the fifth year after it becomes nonconforming.

C. Should any commercial or industrial activity, which has been used in defining or delineating an unzoned area, cease to operate, the unzoned area shall be redefined or redelineated based on the remaining activities. Any signs located within the former unzoned area but located outside the unzoned area, based on its new dimensions, shall become nonconforming.

Section VII. Just compensation shall be paid upon the removal or relocation on or after the effective date of this Act, of any of the following signs which are not then in conformity with the provisions of this Act:

A. Signs lawfully in existence on the effective date of this Act.

B. Signs lawfully in existence on land adjoining any highway made an interstate or primary highway after the effective date of this Act.

C. Signs lawfully erected on or after the effective date of this Act.

Section VIII. The just compensation required by the provisions of Section VII. of this Act shall be paid for the following:

A. The taking from the owner of such sign, all right, title and interest in and to such sign and his leasehold relating thereto, and compensation therefor, including severance damage to the remaining portion of the sign shall be included in the amounts paid to the respective owner, exclusive to any damage of factories involved in manufacturing, erection, maintenance or servicing of any outdoor advertising signs or displays.

B. The taking from the owner of the real property on which the sign is located of the right to erect and maintain such signs thereon.

Section IX. Compensation required under the provisions of Section VII. and VIII. of this Act shall be paid to the person or persons entitled thereto. If the Director and the owner or owners reach agreement on the amount of compensation payable to such owner or owners in respect to any removal or relocation, the Director may pay such compensation to the owner or owners and thereby acquire or terminate his rights or interests as by purchase.

If the Director and the owner do not reach agreement as to such amount of compensation, the Director may institute an action to have such compensation determined in an action at law. Such an action shall be instituted by filing a Petition in the Probate Court of the County where the advertising device and land are located. Such action for determination of compensation shall thereupon proceed and be treated in accordance with the provisions of Titles 19 and 23, Code of Alabama 1940 (Recompiled 1958) to the extent not inconsistent with the provisions of this Act, the same as if such action had been commenced thereunder by a Petition by the State for the taking of property under its power of eminent domain.

Section X. On and after the effective date of this Act, all signs, or structures on which they are displayed, shall have stated thereon the names and addresses of the owner thereof, and the date of its erection; provided that if the address of the owner is on file with the Director it need not be stated thereon.

Section XI. After the effective date of this Act, no sign permitted by the provisions of Section V. of this Act may be erected without first obtaining a permit therefor from the Director. No permit shall be required for signs conforming to the provisions of this Act which are in existence upon the effective date of this Act until the end of the fifth calendar year. The applica-

tion for a permit shall be on a form provided by the Director and shall contain such information as the Director may require. Upon receipt of an application containing all required information in due form and properly executed, the Director shall issue a permit to the applicant for the erection of the sign; provided, that such sign will not violate any provisions of this Act. A charge of $5.00 will be made for each sign covered in the permit. The application for a permit shall be accompanied by the required fee.

Permits shall be for the calendar year, and shall be renewed annually upon payment of a fee of $3.50 for the following calendar year without the necessity of filing a new application. The fee shall not be prorated for fractions of the year. Only one permit shall be required for double-faced, back-to-back or V-type signs. Advertising copy may be changed at any time without the payment of an additional fee and nothing in this Act shall be construed to give the Director any power of censorship with regard thereto.

In addition to the permit, the Director shall issue an identification tag or decal to the applicant upon the payment of the fee which shall be permanently affixed to the sign, display or device for which the permit was issued. Such tag or decal shall be so affixed and in a uniform position on all such signs, displays and devices. The size, location and content, including identification numbers, and the materials from which such tags or decals are to be made, shall be determined by the Director. All signs, displays and devices which do not have the tag or decal attached thereto as provided in this Section, shall be considered as being nonconforming within the terms of this Act.

The Director shall issue a permit for the sign, display or device described in any application duly made under this Section unless it is in violation of this Act. Any permit may be revoked after a public hearing upon 30 days written notice if the Director finds that any statement made in the application thereof was false or misleading or that the advertising sign, display or device covered thereby is not in good general condition and in reasonable state of repair, or as otherwise in violation of this Act; provided, that such false or misleading statement has not been corrected and that the sign, display or device has not been brought into compliance with this Act prior to said public hearing. The Director for good cause shown at such hearing may extend the time within which such sign, display or device may be brought into conformance or other remedial action taken.

Section XII. Any sign erected or maintained in an adjacent area outside of a business area after the effective date of this Act, in violation of the provisions of this Act or the rules and regulations promulgated under the provisions of this Act, may be removed by the Director upon 30 days prior notice by certified or registered mail to the owner thereof and to the owner of the land on which said sign is located. No notice shall be required to be given to the owner of a sign whose name is not stated on the sign or on the structure on which it is displayed, or whose address is not stated thereon and is not on file with the Director.

Section XIII. Whoever erects or maintains a sign in violation of the provisions of this Act or in violation of rules and regulations promulgated by the Director under the provisions of this Act shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined not less than $25.00 nor more than $100.00.

Section XIV. The Director in behalf of the State is authorized and directed to seek agreement with the Secretary of Transportation of the United

States acting under the provisions of Section 131, Title 23, United States Code, as amended, that the provisions of this Act are in conformance with Section 131, Title 23, United States Code, and provide effective control of outdoor advertising signs as set forth therein.

Section XV. The Director may accept any allotment of funds by the United States, or any agency thereof, appropriated to carry out the purposes of Section 131, Title 23, United States Code, as amended, from time to time. The Director shall take such steps as may be necessary from time to time to obtain from the United States, or the appropriate agency thereof, funds allotted and appropriated, pursuant to Section 131, Title 23, United States Code, for the purposes of paying the federal government's 75 per cent share of the just compensation to be paid to sign owners and owners of real property under the terms of subsection (g) of Section 131, Title 23, United States Code, and Sections VII, VIII, and IX, of this Act.

Section XVI. The Director may promulgate regulations he deems necessary to implement and enforce provisions of this Act.

Section XVII. Despite any contrary provision in this act, no sign shall be required to be removed unless at the time of removal there are sufficient funds, from whatever source, appropriated and immediately made available to the Director with which to pay the just compensation required under Sections VII, VIII, and XI of this Act, and unless at such time the Federal funds required to be contributed to this State under Section 131, Title 23, United States Code, have been appropriated and are immediately available to the State.

Section XVIII. If any provision or clause of this Act or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Section XIX. All fees collected for the issuance of permits provided for under this Act shall be paid into the State Treasury to be credited to the Public Road and Bridge Fund.

Section XX. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Oden	
Albea	Gilmore	Lindsey	Pelham	
Bailes	Givhan	McCarley	Pierce	
Branyon	Goodwyn	McDermott	Torbert	
Childs	Harris	Nabors	Turner	
Clark	Hawkins	O'Bannon	Vacca	
Cooper				—24

Nays: —0

And said Bill, S. B. 236, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Albea	Giles	Lindsey	Pierce	
Bailes	Gilmore	McCarley	Radney	
Branyon	Givhan	McDermott	Torbert	
Childs	Goodwyn	Nabors	Turner	
Clark	Harris	O'Bannon	Vacca	
Cooper	Hawkins	Oden		—26

Nays: —0

The Bill:

S. 182. To provide for and regulate the payment of expenses of state officers and employees and persons traveling on official business for the State or any of its departments, institutions, boards, bureaus, commissions, councils, committees, and other like agencies.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Oden	
Albea	Folsom	Leonard	Pelham	
Bailes	Giles	Lolley	Pierce	
Branyon	Gilmore	McCarley	Radney	
Childs	Givhan	McDermott	Stone	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon		—26

Nays: —0

The Bill:

S. 183. To make an appropriation for the use of the board of adjustment for making awards to widows and dependents of certain peace or law enforcement officers and firemen killed in line of duty.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 28; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Pelham	
Albea	Giles	Lolley	Pierce	
Bailes	Gilmore	McCarley	Radney	
Branyon	Givhan	McDermott	Skidmore	
Childs	Harris	Nabors	Stone	
Clark	Hawkins	O'Bannon	Torbert	
Cooper	Jackson	Oden	Turner	
Engel				—28

Nays: —0

The Bill:

S. 184. To amend Act 833, S. 128 Regular Session 1965 (Acts of Alabama 1965, p. 1564), an act creating the State Employees' Insurance Board so as to increase the employers maximum contribution.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McCarley	Stone	
Branyon	Gilmore	McDermott	Torbert	
Childs	Givhan	Nabors	Turner	
Clark	Harris	Oden	Vacca	
Cooper	Hawkins	Pelham		—26

Nays: —0

The Bill:

S. 185. To provide for and authorize the organization of a public corporation in the state to be named Coosa Valley Development Authority, for the purpose of furthering the development of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary; to designate the officers and members of the board of directors of the Authority; to define and describe the duties and obligations which the Authority is authorized to undertake and discharge in connection with the proposed waterway project; to prescribe the powers of the Authority; to limit and regulate the Authority's power to enter into contracts; to authorize the Authority to delegate its duties and obligations to other public corporations, agencies and departments of the state and to prescribe the conditions upon which such a delegation shall be effective; to authorize the State Docks Department to provide and maintain suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army and the Chief of Engineers; to authorize the sale and issuance of general obligation bonds of the state in aggregate principal amount not exceeding $10,000,000, the proceeds of which are to be expended by the Authority in discharging its duties and obligations in connection with the proposed waterway project; to make provisions for the sale, execution and issuance of the said bonds; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the said bonds; to provide that the said bonds and the income therefrom shall be exempt from taxation; to authorize and direct the State Treasurer to pay the principal of and interest on the bonds from any available funds of the state; and to provide for the dissolution of the Authority.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McCarley	Stone	
Branyon	Gilmore	McDermott	Torbert	
Childs	Givhan	Nabors	Turner	
Clark	Harris	O'Bannon	Vacca	
Cooper	Hawkins	Pelham		—26

Nays: —0

The Bill:

S. 186. To propose an amendment to the Constitution of Alabama to

authorize the state to engage in works of internal improvement in connection with (1) the construction and maintenance of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary and (2) to authorize the state to issue in connection therewith interest-bearing general obligation bonds of the state in principal amount not exceeding $10,000,000; and (3) to authorize the state to establish a public corporation with the powers and resources necessary to undertake obligations authorized by this amendment to be undertaken by the state.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dominick	Lolley	Pierce	
Albea	Engel	McCarley	Radney	
Bailes	Folsom	McDermott	Stone	
Branyon	Giles	Nabors	Torbert	
Childs	Gilmore	O'Bannon	Turner	
Clark	Leonard	Oden	Vacca	
Cooper				—24

Nays: —0

The Bill:

S. 189. To provide for the regulation and control of state-owned motor vehicles for official use by state officers and employees; to limit the number, cost and use of such vehicles; to provide for a transportation pool and to fix the responsibility for the maintenance and repair of vehicles therein; to establish a revolving fund for the use of the transportation pool, providing for the payment of certain fees and charges for the use of pool cars to be paid into such fund and appropriating state funds therefor; to provide for the administration and enforcement of this act and to prescribe penalties for violations; to ratify all acts of the Governor and finance director in establishing a transportation pool and to validate the transfer of funds allocated to state departments for the acquisition of automobiles to the finance department for the establishment of a transportation pool.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, S. B. 189, to-wit:

AMENDMENT TO S. B. 189

In Section 2, lines 4 and 5, strike out the word "institutions".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Oden	
Albea	Folsom	Lindsey	Pierce	
Bailes	Gilmore	Lolley	Radney	
Branyon	Givhan	McDermott	Torbert	
Childs	Goodwyn	Nabors	Turner	
Clark	Harris	O'Bannon	Vacca	
Cooper	Hawkins			—25

Nays: —0

And said Bill, S. B. 189, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Oden	
Albea	Gilmore	Lindsey	Pierce	
Bailes	Givhan	Lolley	Radney	
Branyon	Goodwyn	McDermott	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick				—24

Nays: —0

The Bill:

S. 230. To make an additional appropriation to the Division of Forestry of the Department of Conservation for the fiscal year ending September 30, 1969.

was taken up.

Mr. Nabors moved that further consideration of the Bill, S. B. 230, be postponed until the next Legislative Day. On motion of Mr. Torbert, the motion to postpone was laid on the table.

Yeas 23; Nays 4.

Yeas:

Messrs.:	Giles	Leonard	Pelham	
Albea	Gilmore	Lindsey	Pierce	
Branyon	Givhan	Lolley	Radney	
Clark	Goodwyn	McCarley	Torbert	
Cooper	Harris	McDermott	Turner	
Folsom	Hawkins	O'Bannon	Vacca	
				—23

Nays:

Messrs.:				
Bailes	Childs	Dominick	Nabors	
				—4

And said Bill, S. B. 230, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 3.

Yeas:

Messrs.:	Giles	Lindsey	Pierce	
Albea	Gilmore	Lolley	Radney	
Branyon	Givhan	McCarley	Stone	
Clark	Goodwyn	McDermott	Torbert	
Cooper	Harris	O'Bannon	Turner	
Engel	Hawkins	Pelham	Vacca	
Folsom	Leonard			—25

Nays:

Messrs.:	Bailes	Dominick	Nabors	
				—3

POINT OF PERSONAL PRIVILEGE

Mr. Cooper requested that the Journal show that had he been present when the vote was taken on passage of S.B. 70 on the Ninth Legislative Day, he would have voted "Yea".

Messrs. Radney, Stone, Gilmore, Carr and Torbert requested and were granted the same privilege.

BILLS ON THIRD READING RESUMED

The Bill:

S. 241. To authorize the state comptroller to close out certain inactive funds in the state treasury and transfer the balance in such funds to the state general fund.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	Lolley	Stone	
Branyon	Gilmore	McDermott	Torbert	
Clark	Givhan	Nabors	Turner	
Cooper	Goodwyn	O'Bannon	Vacca	
Dominick	Hawkins	Oden		—26

Nays: —0

The Bill:

S. 246. To create a Property Inventory Control Division in the office of the State Auditor; transferring to it the functions, jurisdiction, authority, personnel, property and effects vested in or required for that function in the Division of Service of the Finance Department; relieving the Director of the Finance Department of the responsibility of maintaining property records; and making an appropriation for carrying out the purposes of this act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pierce	
Albea	Folsom	Lindsey	Radney	
Bailes	Giles	Lolley	Skidmore	
Branyon	Gilmore	McDermott	Stone	
Carr	Givhan	Nabors	Torbert	
Clark	Goodwyn	Oden	Turner	
Cooper	Hawkins	Pelham	Vacca	
Dominick	Jackson			—29

Nays: —0

The Bill:

S. 276. To provide for the payment of compensation of officers, agents and employees of the Department of Public Safety, and to provide for the payment of expenses for subsistence and necessary equipment of the department when such officers, agents or employees shall be called upon by the Governor, or the appointing authority of the department, to perform duties relating to the control of civil disturbances, the restoration or preservation of the public order, or to perform rescue or protective duties at a natural or man-made disaster extending beyond twenty-four hours.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 28; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Pierce	
Albea	Folsom	Leonard	Radney	
Bailes	Giles	Lindsey	Skidmore	
Branyon	Gilmore	Lolley	Stone	
Carr	Givhan	McDermott	Torbert	
Clark	Goodwyn	Oden	Turner	
Cooper	Hawkins	Pelham	Vacca	
Dominick				—28

Nays: —0

The Bill:

S. 307. Relating to state employment; providing for payment of certain expenses of job transference.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Giles	Leonard	Pelham	
Bailes	Gilmore	Lindsey	Pierce	
Branyon	Givhan	Lolley	Radney	
Carr	Goodwyn	McDermott	Skidmore	
Clark	Harris	Nabors	Torbert	
Cooper	Hawkins	O'Bannon	Turner	
Folsom				—24

Nays: —0

The Bill:

S. 289. Relating to displacement of individuals, families, farm operations, businesses and non-profit organizations; providing that payments may be made to them as a result of moving from their home, farm or business due to acquisition of their property for highway construction purposes; providing that relocation moving payments be considered a part of highway construction; providing that the Highway Department may provide a relocation advisory assistance program in keeping with this Act; providing optional modes of payment to those displaced and covered under this Act; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this Act; authorizing the Highway Director to adopt applicable federal

rules and regulations to implement this Act and to comply with the relocation assistance provisions of The Federal-Aid Highway Act of 1968 and subsequent federal acts related thereto; repealing Section 39 (2), Title 23, Code of Alabama, 1940, recompiled 1958; to provide how this act may be cited; and to provide a severability clause.

was taken up.

Mr. Clark offered the following amendment to the Bill, S. B. 289, to-wit:

AMENDMENT TO S. B. 289:

At the end of Section 7 and as a part thereof, insert the following:

"C. In all cases of condemnation, in Probate or Circuit Court, any amounts paid or agreed to be paid to the property owner under this Act shall be made known to the Court along with the basis of such payment, and such amounts and the items for which payments were made under this Act, shall not be considered as a part of just compensation, but shall be an additive payment to the displaced property owner. In those condemnation cases where damages are to be assessed, the Court shall instruct the commissioners or the jury as to the amount of any such payment, or agreement for payment under this Act, and the items for which such payments were made or to be made, and that such payments are considered as additives to the displaced property owner and that such payments are not to be considered as a part of just compensation."

Mr. Torbert moved that said amendment be laid on the table, and the motion to table was lost.

Yeas 10; Nays 15.

Yeas:

Messrs.:	Givhan	O'Bannon	Skidmore	
Bailes	Harris	Pelham	Torbert	
Giles	McDermott	Pierce		—10

Nays:

Messrs.:	Dominick	Leonard	Oden	
Branyon	Engel	Lindsey	Radney	
Carr	Gilmore	Lolley	Turner	
Clark	Goodwyn	Nabors	Vacca	
				—15

And said amendment to the Bill, S. B. 289, was then adopted by the Senate.

Yeas 16; Nays 10.

Yeas:

Messrs.:	Dominick	Leonard	Oden	
Branyon	Engel	Lindsey	Radney	
Carr	Gilmore	Lolley	Turner	
Clark	Goodwyn	Nabors	Vacca	
Cooper				—16

Nays:

Messrs.:	Givhan	O'Bannon	Skidmore	
Bailes	Harris	Pelham	Torbert	
Giles	McDermott	Pierce		—10

And said Bill, S. B. 289, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 1.

Yeas:

Messrs.:	Engel	Hawkins	Oden	
Bailes	Folsom	Leonard	Pierce	
Branyon	Giles	Lindsey	Radney	
Carr	Gilmore	Lolley	Skidmore	
Clark	Givhan	McDermott	Turner	
Cooper	Goodwyn	Nabors	Vacca	
Dominick	Harris	O'Bannon		—26

Nay: Mr. Torbert —1

The Bill:

S. 329. To repeal Act No. 329, H. 714, approved July 1, 1943, as amended, an act relating to construction of farm to market roads (General Acts 1943, p. 311 et seq.).

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 17; Nays 7.

Yeas:

Messrs.:	Giles	Lolley	Skidmore	
Carr	Gilmore	McDermott	Stone	
Dominick	Givhan	O'Bannon	Torbert	
Engel	Hawkins	Pierce	Vacca	
Folsom	Jackson			—17

Nays:

Messrs.:	Goodwyn	Nabors	Radney	
Branyon	Lindsey	Oden	Turner	
				—7

The Bill:

S. 330. To provide for the disposition of unobligated SACP funds which have reverted to the State Highway Department.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 19; Nays 6.

Yeas:

Messrs.:	Folsom	Leonard	Pierce	
Bailes	Giles	Lolley	Skidmore	
Carr	Gilmore	McDermott	Stone	
Dominick	Goodwyn	Nabors	Turner	
Engel	Hawkins	O'Bannon	Vacca	
				—19

Nays:

Messrs.:	Givhan	Lindsey	Radney	
Branyon	Jackson	Oden		—6

The Bill:

S. 364. To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, S. B. 364, to-wit:

COMMITTEE AMENDMENT TO S. B. 364

Amend S. B. 364 by striking the period at the end of Section 3 of the same, and inserting a semi-colon and the following language: "nor the salary of the Director of Industrial Relations as fixed by Title 26, Section 2, of this Code".

On motion of Mr. O'Bannon, said amendment was laid on the table.

The Standing Committee on Finance and Taxation then reported the following amendment to the Bill, S. B. 364, to-wit:

AMENDMENT TO SENATE BILL 364

Amend Section 6 of Senate Bill 364 by adding after the word "specifically" and before the words "Title 41" where the same appear in line 3 thereof the following:

"Act No. 253, page 643 of the Regular Session of the 1967 Legislature."

Which was adopted.

Yeas 21; Nays 1.

Yeas:

Messrs.:	Givhan	Lolley	Skidmore	
Bailes	Goodwyn	Nabors	Stone	
Cooper	Hawkins	O'Bannon	Torbert	
Engel	Jackson	Pierce	Turner	
Giles	Leonard	Radney	Vacca	
Gilmore	Lindsey			—21

Nay: Mr. Branyon —1

Mr. Goodwyn offered the following amendment to the Bill, S. B. 364, as amended, to-wit:

AMENDMENT TO S. B. 364

Amend Section 2 of S. B. 364 by adding the words "per annum" following $19,800.00.

Which was adopted.

Yeas 19; Nays 1.

Yeas:

Messrs.:	Gilmore	Lindsey	Radney	
Bailes	Givhan	McDermott	Skidmore	
Cooper	Goodwyn	Nabors	Torbert	
Engel	Jackson	O'Bannon	Turner	
Giles	Leonard	Pierce	Vacca	
				—19

Nay: Mr. Branyon —1

Mr. Goodwyn then offered the following amendment to the Bill, S. B. 364, as amended, to-wit:

AMENDMENT TO S. B. 364

Amend S. B. 364 by striking in its entirety Section 3 thereof and substituting therefor the following:

"Section 3. The provisions of this act shall not apply to the salary of the State Health Officer as fixed by Title 22, Section 9, Code of Alabama 1940; nor the salary of the State Mental Health Officer as fixed by Title 22, Section 321, Code of Alabama 1940; nor to the salary of the Director of Industrial Relations as provided for in Section 2 of Title 26, Code of Alabama 1940; nor to the salary of the Chief Examiner of Public Accounts as fixed by Title 41, Section 152 (4), Code of Alabama 1940."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Giles	McDermott	Skidmore	
Bailes	Gilmore	Nabors	Stone	
Branyon	Goodwyn	O'Bannon	Torbert	
Carr	Hawkins	Pierce	Turner	
Cooper	Leonard	Radney	Vacca	
Engel	Lolley			—21

Nays: —0

Mr. Goodwyn then offered the following amendment to the Bill, S. B. 364, as amended, to-wit:

AMENDMENT TO S. B. 364

Amend S. B. 364 by striking in its entirety Section 6 and substituting in lieu thereof the following:

"Section 6. All laws or parts of laws, local, special, or general, in conflict with the provisions of this act are hereby repealed; this includes specifically Act No. 253, page 643 of the Regular Session of the 1967 Legislature, Title 41, Sections 152 (1), 152 (2), 152 (3), 152 (4), except that portion relating to the Chief Examiner of Public Accounts, and 152 (5), Code of Alabama 1940, as amended; Title 23, Sections 8 (1a), 8 (2) and 9 (2), as amended, Code of Alabama 1940, insofar as they relate to the salaries of the Director, Assistant Director and Chief Engineer of the State Highway Department; and Title 26, Section 27 (1), Code of Alabama 1940, which relates to the salary of the Assistant Director of the Department of Industrial Rela-

tions; provided, however, that Section 25 of Title 26 shall not be repealed and shall remain in full force and effect.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Giles	Lolley	Radney	
Bailes	Gilmore	McDermott	Skidmore	
Branyon	Goodwyn	Nabors	Stone	
Carr	Hawkins	O'Bannon	Torbert	
Clark	Leonard	Oden	Turner	
Cooper	Lindsey	Pierce	Vacca	
Engel				—24

Nays: —0

Mr. O'Bannon offered the following amendment to the Bill, S. B. 364, as amended, to-wit:

AMENDMENT TO SENATE BILL 364

Amend Senate Bill 364 by striking the period at the end of Section 3 and inserting a semi-colon and the following language:

"nor the salary of the state Budget Officer, as set by Act No. 758 of the 1967 Regular Session."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Giles	Lolley	Radney	
Bailes	Gilmore	McDermott	Skidmore	
Branyon	Goodwyn	Nabors	Stone	
Carr	Hawkins	O'Bannon	Torbert	
Clark	Leonard	Oden	Turner	
Cooper	Lindsey	Pierce	Vacca	
Engel				—24

Nays: —0

And said Bill, S. B. 364, as thus amended, was then read a third time at length and passed.

Yeas 26; Nays 1.

Yeas:

Messrs.:	Giles	Lindsey	Radney	
Bailes	Gilmore	Lolley	Skidmore	
Carr	Givhan	McDermott	Stone	
Clark	Goodwyn	Nabors	Torbert	
Cooper	Hawkins	O'Bannon	Turner	
Engel	Jackson	Oden	Vacca	
Folsom	Leonard	Pierce		—26

Nay: Mr. Branyon —1

The Bill:

S. 365. To provide a cost of living increase to certain retired members of the Employees' Retirement System of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Radney	
Bailes	Giles	Lindsey	Skidmore	
Branyon	Gilmore	Lolley	Stone	
Carr	Givhan	McDermott	Torbert	
Clark	Goodwyn	Oden	Turner	
Cooper	Hawkins	Pierce	Vacca	
Engel	Jackson			—25

Nays: —0

The Bill:

S. 366. To amend Sections 3, 5, 7 and 8 of Act No. 515, HB 93, approved July 9, 1945, (General Acts 1945, Page 734) as amended, which relates to the Employees' Retirement System of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Radney	
Bailes	Folsom	Lolley	Skidmore	
Branyon	Giles	McDermott	Stone	
Carr	Gilmore	Nabors	Torbert	
Clark	Givhan	Oden	Turner	
Cooper	Goodwyn	Pierce	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

S. 372. To appropriate the sum of Five Thousand Dollars ($5,000.00) to cover costs incurred by the Game and Fish Division of the Department of Conservation of the State of Alabama in hosting the annual meeting of the Southeastern Association of Game and Fish Commissioners.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Radney	
Bailes	Folsom	Lindsey	Skidmore	
Branyon	Gilmore	Lolley	Stone	
Carr	Givhan	McDermott	Torbert	
Clark	Goodwyn	Nabors	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson	Pierce		—26

Nays: —0

The Bill:

S. 387. To provide for abatement of ad valorem taxes on property acquired by condemnation or otherwise by the State of Alabama or any agency or instrumentality thereof.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Radney	
Bailes	Giles	Lindsey	Skidmore	
Branyon	Gilmore	Lolley	Stone	
Carr	Givhan	McDermott	Torbert	
Clark	Goodwyn	Nabors	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson	Pierce		—26

Nays: —0

The Bill:

S. 79. To authorize and provide for compulsory driver education in the public high schools of Alabama and the granting of credit for same.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 23; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Oden	
Bailes	Folsom	Leonard	Pierce	
Branyon	Gilmore	Lindsey	Radney	
Carr	Givhan	Lolley	Skidmore	
Clark	Goodwyn	McDermott	Turner	
Cooper	Hawkins	Nabors	Vacca	
				—23

Nays: —0

The Bill:

S. 80. To amend further Act No. 47, Special Session 1961, approved September 15, 1961 (Acts 1961, v. 2, p. 1904), which Act exempts certain religious, benevolent and civic institutions and organizations from taxation and licenses, so as to grant exemptions to Boys' Ranch.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 1.

Yeas:

Messrs.:	Folsom	Leonard	Radney	
Bailes	Giles	Lindsey	Skidmore	
Branyon	Gilmore	Lolley	Stone	
Carr	Givhan	McDermott	Torbert	
Clark	Goodwyn	Oden	Turner	
Cooper	Hawkins	Pierce	Vacca	
Dominick	Jackson			—25

Nay: Mr. Nabors —1

ADJOURNMENT

At 2:30 P.M., on motion of Mr. Cooper, in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, June 17, 1969, at 1 o'clock P.M.

TWELFTH LEGISLATIVE DAY

TUESDAY, JUNE 17, 1969

The Senate met pursuant to adjournment, President Pro Tempore Goodwyn presiding.

PRAYER

The Session was opened with prayer by the Reverend William E. Dudley, Associate Pastor, Memorial Presbyterian Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

—35

JOURNAL

On motion of Mr. Lolley, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Eleventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Eleventh Legislative Day was approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Skidmore:

S. 490. To provide for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judicial Circuit of Alabama.

Committee on Local Legislation No. 1.

By Mr. Skidmore:

S. 491. To amend further Act No. 491, S. 444, Regular Session 1961, relating to cities having populations of not less than 60,000 nor more than 70,000 according to the most recent federal decennial census (Acts 1961, p. 563) so as to provide expense allowances for the chairman and associate members of the city commission.

Committee on Local Legislation No. 1.

By Mr. Skidmore:

S. 492. To create offices of Deputy District Attorney No. 1, Deputy District Attorney No. 2, and Deputy District Attorney No. 3 of the Sixth Judicial Circuit and provide for the appointment, duties and compensation of such offices.

Committee on Judiciary.

By Mr. Vacca:

S. 493. To amend Section 29 of Act No. 516, H. 769, p. 740, Regular Session, 1949, prescribing the method of riding on motorcycles.

Committee on Public Roads and Highways.

By Mr. Vacca:

S. 494. To amend Section 4 of Act No. 652, S. 129, p. 1006, Regular Session, 1949, prescribing the method of riding on motor driven cycles, or other motor driven two-wheeled or three-wheeled vehicles and to require seats and foot rests for passengers.

Committee on Public Roads and Highways.

By Messrs. McCarley, Skidmore, Leonard, Albea, Folsom, Branyon, Radney, Cooper, Torbert, Jackson, Turner, Morrow, Engel, Vacca, Hawkins, McDermott, Bailes, Carr, Pelham and Pierce:

S. 495. To prohibit the possession of firearms on the property of any private or public school, vocational or trade school or institution of higher learning without a permit from school authorities.

Committee on Education.

By Messrs. McCarley, Skidmore, Leonard, Albea, Folsom, Branyon, Radney, Cooper, Torbert, Jackson, Turner, Morrow, Engel, Vacca, McDermott, Hawkins, Bailes, Carr, Pelham and Pierce:

S. 496. Relating to disruptive activity on the campus or property of private or public schools, vocational or trade schools, and institutions of higher learning; and prescribing certain penalties for violations.

Committee on Education.

By Mr. McCarley:

S. 497. To prohibit the possession of firearms on the property of any private or public school, vocational or trade school or institution of higher learning without a permit from school authorities.

Committee on Education.

By Messrs. Radney and Torbert:

S. 498. To amend Act No. 174, S. 282 of the Regular Session of 1967 (Acts 1967, p. 533) entitled, "An Act to provide for an expense allowance for each of the circuit judges of all judicial circuits in this State composed of five (5) counties, with not less than three (3) circuit judges; and providing for the payment of such expense allowance out of the general funds of the counties composing such judicial circuits."

Committee on Local Legislation No. 1.

By Mr. Torbert:

S. 499. To amend Sections 65 and 67 of Act No. 414 adopted at the Regular Session of the Legislature of Alabama of 1959 so as to provide that the shares of corporations merging into a single corporation may be converted, in whole or in part, into cash or property or into shares, other securities, or obligations of any other corporation.

Committee on Judiciary.

By Mr. Turner:

S. 500. To provide for the regulation of the construction of water wells; to provide a system of reporting information concerning the drilling of water wells and results; to provide for the licensing of water well drillers; to provide for the promulgation and publication of rules and regulations to effectuate the provisions of this Act; to create a board to be known as the Alabama Water Well Standards Board; to provide for the qualification, appointment, term of office, and removal of board members and for the filling of vacancies; to make violation of this Act a misdemeanor, and to provide penalties therefor.

Committee on Public Health.

By Mr. Lolley:

S. 501. To provide a state scholarship program to promote the education of nurses at the School of Nursing, Troy State University; and making an appropriation therefore.

Committee on Finance and Taxation.

By Mr. Clark:

S. 502. Relating to the dispensing of minimum program school funds by the state board of education; providing for the direct payment thereof to certain independent city boards of education; relieving county boards of education in which such cities are located of certain duties and imposing such duties on city boards of education; providing for the implementation of this act.

Committee on Finance and Taxation.

By Mr. Cooper:

S. 503. Relating to Wilcox County; to amend further Act No. 436, S. 397, Regular Session 1939 (Loc. Acts 1939, p. 261), an act which provided further for the duties, power, authority, and compensation of the members of the Court of County Commissioners of Wilcox County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WILCOX

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Wilcox County; to amend further Act No. 436, S. 397, Regular Session 1939 (Loc. Acts 1939, p. 261), an act which provided further for the duties, power, authority, and compensation of the members of the Court of County Commissioners of Wilcox County.

Be It Enacted by the Legislature of Alabama:

"Section 8. Compensation. The judge of probate as the chairman of the Court of Commissioners of Wilcox County shall receive as compensation for his services required under this Act a salary of $400 per month; and each of the associate members of the court shall also receive a salary of $400 per month."

Section 2. This Act shall become effective upon the expiration of the term of the incumbent members or members first expiring after this Act becomes law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. Hollis Curl, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the "Wilcox Progressive Era", a newspaper of general circulation published in Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 22, May 29, June 5, and June 12, all in the year 1969.

M. HOLLIS CURL.

Sworn to and subscribed before me June 12, 1969.

BETTY M. DUNN,
Notary Public.

By Mr. Cooper:

S. 504. To amend Act No. 192, H. 652, Regular Session 1955 (Acts 1955, p. 477), an act which authorizes and requires the governing body of Wilcox County to pay the clerk hire of certain county officers.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WILCOX

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 192, H. 652, Regular Session 1955 (Acts 1955, p. 477), and act which authorizes and requires the governing body of Wilcox County to pay the clerk hire of certain county officers.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 192, H. 652, Regular Session 1955) Acts 1955, p. 477), an act which authorizes and requires the governing body of Wilcox County to pay the clerk hire of certain county officers, is hereby amended to read as follows:

"Section 1. The court of county commissioners, board of revenue, or like governing body of Wilcox County is hereby authorized, empowered, and directed to pay out of the general fund in the county treasury the sum of three hundred dollars a month to each of the following county officers for clerk hire: the tax assessor, the tax collector, and the circuit clerk."

Section 2. This act shall become effective on the first day of the month commencing after the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. Hollis Curl, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the "Wilcox Progressive Era", a newspaper of general circulation published in Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 22, May 29, June 5, and June 12, all in the year 1969.

M. HOLLIS CURL.

Sworn to and subscribed before me June 12, 1969.

BETTY M. DUNN,
Notary Public.

By Messrs. Pelham and Lindsey:

S. 505. To amend Act No. 2, H. 47 of the Regular Session of 1945 (Gen. Acts 1945, p. 20), which levies and provides for the collection and distribution of a severance tax on oil, gas and other hydrocarbons, so as to preclude municipalities in the State from levying any tax, license or other charge or fee on the production, ownership, selling, buying, storing or marketing of crude oil or natural gas or on the operation or maintenance of any plant, facility or any equipment necessary or convenient to the production, ownership, storage, sale, purchase, marketing or transportation of crude oil or natural gas; and to authorize and provide for the payment, in the discretion of the Governor, to municipalities in which oil or gas wells are located or a portion of the severance tax levied by said Act No. 2.

Committee on Public Buildings and Grounds.

By Messrs. Vacca, Childs, Morrow, Bailes, Hawkins and Gilmore:

S. 506. To validate moral obligations, not exceeding One Hundred and Sixty Dollars ($160.00) in amount, paid by the State Training School for Girls for motor vehicle accidents involving employees and for injuries to employees as a result of performance of their duties during the period October 1, 1966 through September 30, 1968.

Committee on Finance and Taxation.

By Mr. Givhan:

S. 507. To amend the provisions of Title 22, Section 215, Code of Alabama, 1940, as amended, by exempting associations and cooperative corporations from payment of license fees as milk producers.

Committee on Agriculture.

By Mr. Givhan:

S. 508. To amend the provisions of Title 22, Section 206, Code of Alabama, 1940, as amended, by changing the definitions of milk dealer, producer, wholesale producer, and cooperative marketing association in the milk board law.

Committee on Agriculture.

By Mr. Givhan:

S. 509. To amend the provisions of Title 22, Section 228, Code of Alabama, 1940, as amended, by changing the provisions of the milk board law with respect to cooperative corporations.

Committee on Agriculture.

By Mr. Clark:

S. 510. To amend Section 1 of Act No. 21 adopted at the Extraordinary Session of 1969 of the Legislature of Alabama so as to change the definition of "Utility" as said definition appears in said Section 1.

Committee on Finance and Taxation.

By Mr. Clark:

S. 511. To amend Section 1 of Act No. 37 adopted at the Extraordinary Session of 1969 of the Legislature of Alabama so as to change the definition of "Utility" as said definition appears in said Section 1.

Committee on Finance and Taxation.

By Mr. McCarley:

S. 512. To amend Section 5 of Act No. 77, H. 325, Regular Session 1947 (Local Acts 1947, p. 55) as amended, an act to create the office of county solicitor of Autauga County, so as to provide an expense allowance for the county solicitor.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF AUTAUGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 5 of Act No. 77, H. 325, Regular Session 1947 (Local Acts 1947, p. 55) as amended, an act to create the office of county solicitor of Autauga County, so as to provide an expense allowance for the county solicitor.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 5 of Act No. 77, H. 325, Regular Session 1947 (Local Acts 1947, p. 55), as amended, an act to create the office of county solicitor of Autauga County, is amended further to read as follows:

"Section 5. The county solicitor of Autauga County shall receive a salary of not less than twenty-four hundred dollars ($2,400) per annum and not more than three thousand dollars ($3,000) per annum with such salary to be fixed by the board of revenue or other like governing body of the county. In addition, the county solicitor shall be entitled to an expense allowance of Two hundred Fifty dollars ($250) per month for clerk and stenographic hire, office rent, telephone expense, travel expense, and other expense for the investigation or suppression of crime and for the discharge of other law enforcement duties. Such salary and expense allowance shall be paid out of the general fund of the county in twelve equal monthly installments."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert W. Plowden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the SUN, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a wek for four successive weeks without cost to the State of Alabama, said notice having ap-

peared in the issues of said paper on May 15, May 22, May 29, and June 4, all in the year 1969.

ROBERT W. PLOWDEN.

Sworn to and subscribed before me June 12, 1969.

ZELMA KEEN,
Notary Public.

By Mr. O'Bannon:

S. 513. Relating to the Thirty-first Judicial Circuit; extending the powers, authority and duties of the District Attorney of any such Judicial Circuit so as to empower, authorize and require that such District Attorney supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary, in any and all inferior courts located and constituted in the county composing any such judicial circuit; creating the office of deputy District Attorney for any such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of such deputy District Attorney and for his compensation, and further providing that such compensation shall be paid out of the general fund of the county composing any such judicial circuit; authorizing the District Attorney of such circuit to appoint a stenographic secretary, and providing for the payment of said secretary's compensation from the general funds of the county constituting such circuit; providing for the supplemental compensation of the District Attorney of the 31st Judicial Circuit and that such supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Committee on Local Legislation No. 1.

By Mr. Harris:

S. 514. To prohibit any person, firm or corporation from operating or conducting any motor vehicle race or exhibitions on any permanent racetrack or other place where races or exhibitions are held unless there shall first be obtained a license as set forth herein; to provide certain requirements for licensing; to provide for fees; to authorize the Director of the Department of Public Safety to grant, revoke or suspend any such licenses; to provide penalties for violation of this Act; to provide an effective date; to repeal conflicting laws; and for other purposes.

Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Drake (with notice and proof):

H. 245. To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payment, distribution and use of the proceeds, so as to provide further for the use of the proceeds of such taxes.

By Mr. Drake (with notice and proof):

H. 243. To amend further Section 7 of Act No. 13, H. 5, First Special Session 1955 (Acts 1955, p. 37), an act relating to the reorganization of the government of Cullman County, so as to provide further for the office of the resident county engineer.

By Mr. Drake (with notice and proof):

H. 242. To provide for the compensation of jurors in Cullman County.

By Mr. Drake (with notice and proof):

H. 241. Relating to the compensation of election officials in Cullman County; repealing conflicting laws.

By Mr. Dobbs:

H. 589. Relating to counties having a population of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census; to grant an allowance for clerical help to the circuit clerks in such counties.

By Messrs. Drake, McDonald and Starnes (with notice and proof):

H. 41. To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 39. Proposing an amendment to the Constitution of Alabama providing for a special school tax in school districts number 1 and 2, Covington County.

The above bill was read a second time at length as required by the Constitution.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 40. To regulate the compensation and allowances of members of the board of education of Covington County and provide for the payment thereof.

By Mr. Collier (with notice and proof):

H. 52. To apply only in Elmore County; fixing the fee for issuance of pistol permits by the sheriff and providing for distribution and use of such fees.

By Mr. Collier (with notice and proof):

H. 53. To fix the allowance for travel expenses provided the sheriff of Elmore County.

By Mr. Collier (with notice and proof):

H. 54. To amend further Section 6 of Act No. 49, H. 213, Regular Session 1957, an act providing for a chief deputy sheriff and other deputies of the sheriff of Elmore County and regulating their compensation and allowances.

By Mr. Collier (with notice and proof):

H. 55. Relating to Elmore County; providing expense allowances for members of the board of equalization of Elmore County.

By Mr. Collier (with notice and proof):

H. 56. Relating to Elmore County; providing expense allowances for members of the county board of registrars.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 75. To provide for the compensation of jurors in Geneva County.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 76. Relating to Geneva County; regulating and providing for the payment of compensation of election officers.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 77. To amend Act No. 207, H. 575, approved August 13, 1957, which authorizes and requires the court of county commissioners, board of revenue or other like governing body of Geneva County to provide clerk-hire allowances for the clerk of the circuit court, the tax assessor, the tax collector, and sheriff of Geneva County, so as to increase the amount of such allowances.

By Mr. Holladay (with notice and proof):

H. 158. To allow the Sheriff of St. Clair County, Alabama, two (2) additional Deputies Sheriff to that now provided by law; to fix the salary of said Deputies and to make the same payable out of the general fund of St. Clair County, in monthly installments.

By Mr. Holladay (with notice and proof):

H. 159. To amend Act No. 124, H. 154, First Special Session 1964, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county.

By Mr. Holladay (with notice and proof):

H. 160. Relating to St. Clair County; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

By Mr. Holladay (with notice and proof):

H. 161. To alter, rearrange and extend the boundaries and corporate limits of the Town of Riverside, St. Clair County, Alabama so as to annex certain territory to the town.

By Messrs. Brown, Robertson, Bank and Culver:

H. 202. Relating to all counties having a population of not less than 100,000 nor more than 115,000 according to the most recent federal decennial census; fixing the compensation of election officers in said counties.

By Mr. Owens (W) (with notice and proof):

H. 208. To provide for the selection of textbooks and instructional materials for use in the public schools of Bibb County.

By Mr. Steagall (with notice and proof):

H. 363. Relating to Dale County; providing further for the compensation of superintendent of education; repealing conflicting laws.

By Messrs. Brassell and Higginbotham (with notice and proof):

H. 326. Relating to Russell County: To create and establish in Russell County a court with county-wide limited jurisdiction of certain criminal cases and civil actions at law to be known as the "Court of Common Pleas of Russell County," defining its jurisdiction, providing it with officers and prescribing their powers, duties, compensation, terms of office, and the manner of their selection, appointment or election; regulating its procedure and process and the return of warrants thereto; abolishing the existing county court of Russell County, and providing for the transfer and trial of cases pending in the abolished court to the newly created Court of Common Pleas of Russell County.

By Mr. Givhan:

S. 442. Relating to counties having a population of not less than 16,500 nor more than 17,500; providing for direct distribution to municipalities of their proportionate share of gasoline tax proceeds allocated for municipalities in such counties.

By Messrs. Blanton and Hain (with notice and proof):

H. 249. Relating to Dallas County; to authorize the county governing body of such county to contribute county funds towards the construction of a Y.M.C.A. building.

By Messrs. Blanton and Hain (with notice and proof):

H. 250. To amend Section 1 of an act approved February 20, 1931, enlarging the powers of the court of county revenues of Dallas County (Act No. 51, S. 12, Local Acts of Alabama 1931, p. 15) so as to change the meeting date of regular sessions of the court from the first Monday of each month to the second Monday.

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Clark (with amendment):

S. 378. To provide for the delineation and designation of state planning and development districts and to authorize the governing bodies of counties and municipalities to establish regional planning and development commissions compatible with such state districts.

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. McDermott:

S. 162. To amend Sections 1 and 3 of Act 859 enacted at the 1953 Regular Session of the Legislature of Alabama, which Act relates to the validation prior to their issuance of bonds, warrants, certificates of indebtedness and notes of public corporations and public bodies.

By Mr. McDermott:

S. 163. To amend Sections 169 and 171 of Title 7 of the Alabama Code (1940) which sections relate to the validation prior to their issuance of Bonds, Certificates of Indebtedness and Time Warrants which mature more than one year from their respective dates, issued by counties, cities, towns, villages, districts or other political subdivisions in the State of Alabama.

By Mr. McDermott:

S. 165. To amend Section 336 of Title 37 of the Alabama Code (1940) which section relates to waterworks, sewer, gas and electric Revenue Bonds.

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. McDermott (with substitute):

S. 166. To amend Section 7 of Act No. 775 enacted at the 1951 Regular Session of the Legislature of Alabama; which Act relates to Boards of Water and Sewer Commissioners.

Mr. Cooper, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Dill:

H. 197. To amend act proposed at the Special Session of the Alabama Legislature, 1969, by House Bill 90 in order to include children suffering from dyslexia among the children entitled to assistance under such law.

By Mr. Pierce:

S. 242. To amend Section 12 of Act No. 108, H. B. 152, approved August 26, 1959 (Acts 1959, v. 1, p. 615), an act relating to the practice of chiropractic, so as to specify additional grounds for suspension or revocation of a certificate of qualification to practice chiropractic.

By Mr. Harris:

S. 390. To amend "The Physical Therapy Practice Act," Act No. 476, H. 8, Regular Session 1965 (Acts, Regular Session 1965, p. 686), in order to provide further for registration of physical therapists and to provide for licensing of physical therapy assistants; specifically to provide further for examinations of applicants for registration and licensing; and to clarify certain provisions in the Act.

By Messrs. Pierce and Goodwyn:

S. 428. To protect the public health and to conserve and protect the water resources of the state by classifying all public water supply systems and wastewater treatment plants in this state and by requiring the examination of operators and certification of their competency to supervise the operation of such facilities; and to create and provide for a board of certification for such purpose.

By Messrs. Cooper and Vacca:

S. 476. To designate the State Board of Health as the responsible agency and to authorize it to establish and enforce rules and regulations for training, licensing and related requirements for ambulance operators, attendants, drivers and dispatchers; to establish and enforce rules and regulations for the operation, design, equipment and inspection and licensing of ambulances; and to establish requirements for the operation and coordination of ambulances; to provide for penalties for violations of rules and regulations established hereunder; to require a permit or license fee and to appropriate said fees to the State Board of Health for enforcing and administering this act; and to provide for revocation or suspension of such licenses.

By Mr. Cooper:

S. 477. To make it unlawful and constitute a misdemeanor to build, maintain or use an insanitary sewage collection, treatment and disposal facility within the State, but excluding certain plumbing within municipalities; to authorize the State Board and/or County Boards of Health to adopt rules and regulations for the administration of this Act; to authorize the State Board of Health and/or County Boards of Health to require the installation of required type and number of facilities; to require the submission of plans and specifications applying to sewage collection, treatment and disposal to the State Board of Health and/or County Boards of Health; provides for the approval of plans and specifications and issuance of permits for construction; to repeal Title 22, Section 73 Code of Alabama 1940 and Code of Alabama Recompiled 1958; and to provide penalties for violation of this Act, and certain rules and regulations.

By Mr. Cooper:

S. 478. To provide for voluntary and temporary or emergency admissions of patients at certain state hospitals and facilities maintained for treatment of the mentally ill, and to repeal conflicting laws.

By Mr. Cooper:

S. 479. To amend Title 22, Section 236, Code of Alabama 1940, as amended, by requiring a pharmacist to maintain separate prescription files for narcotic prescriptions.

By Mr. Cooper:

S. 480. To amend Title 22, Section 256 and Section 258, Code of Alabama 1940, to include a new synthetic equivalent of cannabis (tetrahydrocannabinol) and to revise penalties.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Smith et al:

H. 333. Authorizing the Commissioner of Agriculture and Industries, with the approval of the Board of Agriculture and Industries, to establish official grades and standards for the marketing of farm products, fish and seafoods, and to design brands, labels and trademarks in accordance therewith; providing conditions for the use of such brands, labels and trademarks; and prohibiting the misuses thereof; providing for public hearings and publication of certain notices; authorizing said Commissioner, with the approval of the Board of Agriculture and Industries, to establish rules and regulations to implement the purposes of this Act; and prescribing penalties for violations.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 364. To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

LELAND CHILDS,
Chairman.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Messrs. Edmund Blair, James H. Faulkner, Jack Giles, Walter C. Givhan, C. H. Lancaster, Jr., Joseph S. Mead and Col. C. E. Hornsby, Jr., as members of the State Sovereignty Commission.

On motion of Mr. Cooper, said appointments were then confirmed by the Senate.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Cooper	Jackson	Pelham	
Adams	Dominick	Leonard	Pierce	
Albea	Engel	Lindsey	Radney	
Bailes	Folsom	Lolley	Skidmore	
Branyon	Gilmore	McCarley	Stone	
Carr	Givhan	Morrow	Torbert	
Childs	Goodwyn	Nabors	Turner	
Clark	Hawkins	Oden		—30

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Dr. Jerry A. Swindle, Messrs. Temple W. Coley, Hilton Parrish and Mrs. James K. Huffstutler as members of the State Board of Pensions and Security.

On motion of Mr. Cooper, said appointments were confirmed by the Senate.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Oden	
Adams	Engel	Leonard	Pierce	
Albea	Folsom	Lindsey	Radney	
Bailes	Giles	Lolley	Skidmore	
Branyon	Gilmore	McCarley	Stone	
Carr	Givhan	Morrow	Torbert	
Childs	Goodwyn	Nabors	Turner	
Clark	Harris	O'Bannon	Vacca	
Cooper	Hawkins			—33

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Honorable Martin J. Darity and Dr. Leslie Wright as members of the Alabama Educational Television Commission.

On motion of Mr. Cooper, said appointments were then confirmed by the Senate.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Oden	
Adams	Engel	Leonard	Pierce	
Albea	Folsom	Lindsey	Radney	
Bailes	Giles	Lolley	Skidmore	
Branyon	Gilmore	McCarley	Stone	
Carr	Givhan	McDermott	Torbert	
Childs	Goodwyn	Morrow	Turner	
Clark	Harris	Nabors	Vacca	
Cooper	Hawkins	O'Bannon		—34

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Messrs. Jack F. Ivy, H. G. Richards, Harry L. Pennington, Jesse Rush, Mack Adams, Carl Puteet, Doyle R. Young, H. B. Larkins and Mrs. Mary Ella Reavis as members of the Board of Trustees of Florence State University.

On motion of Mr. Cooper, said appointments were then confirmed by the Senate.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Oden
Adams	Folsom	Leonard	Pierce
Albea	Giles	Lindsey	Radney
Bailes	Gilmore	Lolley	Skidmore
Branyon	Givhan	McCarley	Stone
Carr	Goodwyn	McDermott	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

—31

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Mrs. Joe Smitherman, and Messrs. Sam J. Renfroe, Jr., John R. Broadway, Howard R. Vaughan, K. T. Riley, Howard Holt, Tom McGregor, Winton Wise and Ira D. Pruitt as members of the Board of Trustees of Livingston State University.

On motion of Mr. Cooper, said appointments were then confirmed by the Senate.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Oden
Albea	Engel	Jackson	Pierce
Bailes	Folsom	Lindsey	Radney
Branyon	Giles	Lolley	Skidmore
Carr	Gilmore	McCarley	Stone
Childs	Givhan	McDermott	Torbert
Clark	Goodwyn	Nabors	Turner
Cooper	Harris	O'Bannon	Vacca

—31

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Mesdames Freida Coggin, Madge Pool and C. J. Fitzpatrick and Messrs. Paul Carpenter, Dwain G. Luce, Charles T. (Pete) Mathews, Hugh D. Merrill, James D. Thornton and Colonel C. W. Daugette as members of the Board of Trustees of Jacksonville State University.

On motion of Mr. Albea, said appointments were then confirmed by the Senate.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Pelham	
Albea	Folsom	Leonard	Pierce	
Bailes	Giles	Lolley	Radney	
Branyon	Gilmore	McCarley	Skidmore	
Carr	Givhan	McDermott	Stone	
Childs	Goodwyn	Nabors	Torbert	
Clark	Harris	O'Bannon	Vacca	
Cooper	Hawkins	Oden		—30

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Dr. Gene Qualls, Mesdames Samuel E. Upchurch, John C. Henley, III, Marianne Haas, Sarah R. Parnell, Onna Mae Ellis, and Messrs. Allen Lyman Bartlett, W. Chester Sparks, and Judge Bernard A. Reynolds as members of the Board of Trustees of the State Training School for Girls.

On motion of Mr. Cooper, said appointments were then confirmed by the Senate.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Clark	Harris	O'Bannon	
Adams	Cooper	Jackson	Oden	
Albea	Dominick	Leonard	Pierce	
Bailes	Folsom	Lolley	Skidmore	
Branyon	Giles	McCarley	Torbert	
Carr	Gilmore	McDermott	Vacca	
Childs	Goodwyn	Nabors		—26

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Honorable Arthur P. Cook as a member of the Board of Trustees of the University of South Alabama from the State-at-large.

On motion of Mr. Cooper, said appointment was then confirmed by the Senate.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Clark	Harris	O'Bannon	
Adams	Cooper	Jackson	Oden	
Albea	Engel	Leonard	Pierce	
Bailes	Folsom	Lolley	Skidmore	
Branyon	Giles	McCarley	Torbert	
Carr	Gilmore	McDermott	Vacca	
Childs	Goodwyn	Nabors		—26

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Mesdames E. N. Merriwether, Peggy Wilson, and Messrs. Graham Wright and Frank Samford, Jr. as members of the Board of Trustees of Alabama College.

On motion of Mr. McCarley, said appointments were then confirmed by the Senate.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Jackson	O'Bannon	
Adams	Dominick	Leonard	Pierce	
Albea	Engel	Lolley	Skidmore	
Bailes	Folsom	McCarley	Torbert	
Branyon	Giles	McDermott	Turner	
Carr	Gilmore	Nabors	Vacca	
Childs	Goodwyn			—25

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Mrs. Clara Stone Collins, Messrs. Earl D. James, Elmer Lazenby, George M. Limbaugh, Edgar Wynn, Charlie Hawkins, John Oliver, Emmett Warren, William D. Smith and Lewellyn Johns, Sr. as members of the Board of Trustees of the Alabama Institute for Deaf and Blind.

On motion of Mr. Leonard, said appointments were then confirmed by the Senate.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	O'Bannon	
Adams	Engel	Leonard	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McCarley	Skidmore	
Branyon	Gilmore	McDermott	Turner	
Carr	Goodwyn	Nabors	Vacca	
Clark	Hawkins			—25

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Dr. James D. Nettles, Mrs. Florence Strang, Reverend Harold C. Martin and Honorable W. M. Beck, Sr. as members of the State Board of Education.

On motion of Mr. Cooper, said appointments were then confirmed by the Senate.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	O'Bannon
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Clark	Givhan	McDermott	Turner
Cooper	Goodwyn	Nabors	Vacca

—23

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Honorable Sam M. Phelps as a member of the Tuscaloosa City Civil Service Board.

On motion of Mr. Skidmore, said appointment was then confirmed by the Senate.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Pierce
Albea	Folsom	Lindsey	Radney
Bailes	Giles	McCarley	Skidmore
Branyon	Gilmore	Nabors	Torbert
Childs	Givhan	O'Bannon	Turner
Clark	Goodwyn	Pelham	Vacca
Cooper	Hawkins		

—25

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Honorable Ralph Burroughs as a member of the Tuscaloosa County Civil Service Board.

On motion of Mr. Skidmore, said appointment was then confirmed by the Senate.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	Pelham
Albea	Engel	Jackson	Pierce
Bailes	Folsom	Leonard	Radney
Branyon	Giles	Lindsey	Skidmore
Carr	Gilmore	McCarley	Torbert
Childs	Givhan	Nabors	Turner
Clark	Goodwyn	Oden	Vacca

—27

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Messrs. Herman Watson and Noel M. Dowling as members of the State Banking Board.

On motion of Mr. Cooper, said appointments were then confirmed by the Senate.

Yeas 25; Nays 1.

Yeas:

Messrs.:	Cooper	Harris	Pelham	
Albea	Dominick	Leonard	Radney	
Bailes	Engel	Lindsey	Skidmore	
Branyon	Folsom	Lolley	Stone	
Carr	Gilmore	McCarley	Turner	
Childs	Givhan	Oden	Vacca	
Clark	Goodwyn			—25

Nay: Mr. Nabors —1

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Messrs. Robert E. Kelly, Robert M. Guillott, Robert T. Wilson, Jack Giles, J. Wilbert Jordan, McDowell Lee, Dr. Lillian Manley, Reverend Marvin K. Vickers and Mrs. Alice D. Moseley as members of the Board of Trustees of Troy State University.

On motion of Mr. Cooper, said appointments were then confirmed by the Senate.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Harris	Nabors	
Adams	Cooper	Jackson	Pierce	
Albea	Engel	Leonard	Stone	
Bailes	Folsom	Lindsey	Torbert	
Branyon	Gilmore	Lolley	Turner	
Carr	Givhan	McCarley	Vacca	
Childs	Goodwyn			—25

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Messrs. Aaron Bailey, George Kaiser and Leslie Hatchett as members of the Farmers' Market Authority.

On motion of Mr. Branyon, said appointments were then confirmed by the Senate.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Cooper	Jackson	Pelham	
Adams	Dominick	Leonard	Pierce	
Albea	Folsom	Lindsey	Radney	
Bailes	Gilmore	Lolley	Stone	
Branyon	Givhan	McCarley	Torbert	
Carr	Goodwyn	Nabors	Turner	
Childs	Harris	O'Bannon	Vacca	
Clark				—28

Nays: —0

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 9. Honoring the Veterans of World War I of the State of Alabama.

Also:

S. J. R. 10. Commending the Birmingham Fire Department and the Birmingham City Officials.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

RESOLUTIONS

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 25. RESOLVED BY THE SENATE That the following Bills shall be the paramount and continuing order of business for the Twelfth Legislative Day only:

All Local Bills and all uncontested General Bills with local application as they appear on the Calendar, and

Bill No.	Page
SB 2	5
SB 3	5

SB 126	49
SB 130	48
SB 124	3
SB 125	3
SB 119	5
SB 266	28
SB 267	28
SB 113	9
SB 114	9
SB 54	55
SB 340	43
SB 176	17
SB 405	60
SB 373	43
SB 385	53
SB 115	9
SB 170	10

Mr. Skidmore offered the following amendment to the Resolution, to-wit:

Amend Rules Committee SR 25 report by deleting therefrom SB 170 p 10.

On motion of Mr. Jackson, said amendment was laid on the table.

Yeas 20; Nays 10.

Yeas:

Messrs.:	Engel	Jackson	Pelham	
Adams	Folsom	Leonard	Pierce	
Bailes	Giles	Lolley	Stone	
Branyon	Givhan	Morrow	Turner	
Childs	Hawkins	Oden	Vacca	
Clark				—20

Nays:

Messrs.:	Goodwyn	McCarley	Skidmore	
Albea	Harris	Nabors	Torbert	
Dominick	Lindsey	O'Bannon		—10

Mr. Oden offered the following amendment to the Resolution, S. R. 25, to-wit:

Amend S. R. 25 by adding after the figures S. B. 170 p. 10 "S. B. 386 page 46."

Which was adopted.

And said Resolution, S. R. 25, as thus amended, was then adopted by the Senate.

SPECIAL ORDERS

BILLS ON THIRD READING

The Senate proceeded to consideration of the special, paramount and continuing order of business for the day, the first of which was the Bill:

S. 172. Relating to all counties having populations of not less than 32,200 nor more than 35,000 according to the most recent federal decennial census fixing the salaries of the chairman and members of the board of revenue, court of county commissioners or other like county governing body in such counties; providing when the provisions of this act shall become effective; and repealing conflicting laws.

And said Bill, S. B. 172, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	McCarley	Radney	
Branyon	Gilmore	McDermott	Skidmore	
Carr	Givhan	Morrow	Stone	
Childs	Goodwyn	Nabors	Torbert	
Clark	Harris	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lolley			—25

Nays: —0

The Bill:

S. 173. Relating to all counties having populations of not less than 32,200 nor more than 35,000 according to the most recent federal decennial census, providing expense allowances for the chairman and members of the board of revenue, court of county commissioners or other like county governing body in such counties; repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Adams	Folsom	Lolley	Radney	
Albea	Giles	McCarley	Skidmore	
Bailes	Gilmore	McDermott	Stone	
Branyon	Givhan	Oden	Torbert	
Carr	Jackson	Pelham	Turner	
Childs	Leonard			—25

Nays: —0

The Bill:

H. 16. To amend Section 3 of Act No. 441, Acts of Alabama, Regular Session 1967, page 1114, relating to all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent Federal decennial census, further regulating the compensation and allowances of the chairmen and members of the court of county commissioners, board of revenue, or other like county governing body; to provide for actual expenses for travel outside the county on county business and to validate payments heretofore made for such travel.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Albea	Engel	Lindsey	Pierce	
Branyon	Folsom	Lolley	Radney	
Carr	Giles	Nabors	Torbert	
Childs	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25

Nays: —0

The Bill:

S. 191. To authorize any bank situated in the City of Cullman, or having an authorized office or place of business therein, to establish, operate and maintain branch banks or additional offices or places of business in the City of Cullman.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lolley	Radney	
Adams	Gilmore	McCarley	Skidmore	
Albea	Givhan	McDermott	Stone	
Bailes	Goodwyn	Oden	Torbert	
Branyon	Harris	Pelham	Turner	
Carr	Leonard	Pierce	Vacca	
Dominick	Lindsey			—25

Nays: —0

The Bill:

S. 218. To provide for an expense allowance for each County Inferior Court Judge in this state who is required to hold court sessions at three different court houses in the county; and providing for the payment of such expense allowance out of the general fund of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	McCarley	Pelham	
Adams	Givhan	McDermott	Radney	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

S. 219. To alter, rearrange and fix the boundaries and corporate limits of the town of Daviston in Tallapoosa County, annexing certain territory to the town.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Adams	Folsom	Lolley	Radney	
Albea	Giles	McCarley	Stone	
Bailes	Gilmore	McDermott	Torbert	
Branyon	Givhan	Morrow	Turner	
Carr	Goodwyn	Nabors	Vacca	
Childs	Leonard			—25

Nays: —0

The Bill:

S. 221. Relating to all counties having populations of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; to prescribe the qualifications of the county superintendent of education in each such county; and to regulate his compensation and expense allowances.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Radney	
Branyon	Givhan	McDermott	Skidmore	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lindsey			—25

Nays: —0

BILL RECONSIDERED

On motion of Mr. Lindsey, the Senate reconsidered the vote by which the Bill, S. B. 221, was passed.

On motion of Mr. Lindsey, further consideration of the Bill, S. B. 221, was postponed until the next Legislative Day.

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Albea, further consideration of the Bill, S. B. 18, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 244. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the town of Hartford in Geneva County.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pelham	
Adams	Folsom	McDermott	Pierce	
Albea	Goodwyn	Morrow	Stone	
Bailes	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

S. 294. Relating to counties having a population of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; further regulating the salary of the chief clerk of the county governing body.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Oden	
Adams	Folsom	Lolley	Pelham	
Albea	Giles	McCarley	Pierce	
Bailes	Gilmore	McDermott	Radney	
Branyon	Givhan	Morrow	Skidmore	
Carr	Harris	Nabors	Stone	
Childs	Jackson			—25

Nays: —0

The Bill:

S. 295. Relating to the office of the sheriff in all counties having populations of not less than 32,200 nor more than 35,000 according to the most recent federal decennial census; providing salary increases for certain deputies and employees of the sheriff; authorizing the employment of additional deputies and providing for their assignment, duties and compensation.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	Lolley	Oden	
Branyon	Gilmore	McCarley	Skidmore	
Carr	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Jackson	O'Bannon	Vacca	
Dominick	Lindsey			—25

Nays: —0

The Bill:

S. 258. To further amend Section 2 of an Act of the Legislature of Alabama being Local Act No. 102 approved June 3, 1943, page 59 of the Local Acts of 1943 as amended by an Act of the Legislature of Alabama being Local Act No. 784 approved September 8, 1961, page 1136 of the Local Acts of 1961, entitled: "To authorize the Sheriff of Mobile County, Alabama, to select and appoint an attorney to advise and counsel him on the operation of such office and to handle all legal matters pertaining to said office; to provide for the manner of the appointment of such attorney, the term of office of such attorney; to provide for the salary of such attorney and the method of payment of such salary."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0; Abstaining 1.

Yeas:

Messrs.:	Giles	Leonard	Oden	
Adams	Gilmore	Lindsey	Pierce	
Carr	Givhan	Lolley	Radney	
Childs	Goodwyn	McDermott	Stone	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
Engel	Jackson			—25

Nays: —0

Abstaining: Mr. Pelham —1

The Bill:

S. 259. Relating to law enforcement in Mobile County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a

fund to be designated the Sheriff's Fund and providing for the use of such fund; repealing conflicting laws, and specifically repealing Act No. 413, H. 941, Regular Session 1965 (Acts 1965, p. 602) as to Mobile County.

was taken up.

Messrs. Engel and McDermott offered the following amendment to the Bill, S. B. 259, to-wit:

AMENDMENT TO S. B. 259

Amend Section 1 of S. B. 259 by striking out the words "Five Dollars" and inserting in lieu thereof the words "Ten Dollars".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	O'Bannon	
Branyon	Giles	Leonard	Pelham	
Carr	Gilmore	Lindsey	Radney	
Childs	Givhan	Lolley	Skidmore	
Clark	Goodwyn	McDermott	Stone	
Cooper	Harris	Nabors	Vacca	
Dominick	Hawkins			—25

Nays: —0

And said Bill, S. B. 259, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	O'Bannon	
Branyon	Giles	Leonard	Pelham	
Carr	Gilmore	Lindsey	Radney	
Childs	Givhan	Lolley	Skidmore	
Clark	Goodwyn	McDermott	Stone	
Cooper	Harris	Nabors	Vacca	
Dominick	Hawkins			—25

Nays: —0

The Bill:

S. 260. Relating to Mobile County: To amend further Section 1 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), placing the Sheriff of Mobile County, Alabama, on a salary basis.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Abstaining 1.

Yeas:

Messrs.:	Engel	Jackson	O'Bannon	
Adams	Giles	Leonard	Oden	
Albea	Gilmore	Lindsey	Pierce	
Bailes	Givhan	Lolley	Radney	
Childs	Goodwyn	McDermott	Skidmore	
Clark	Harris	Nabors	Stone	
Cooper	Hawkins			—25

Nays: —0

Abstaining: Mr. Pelham —1

The Bill:

S. 252. To amend Act No. 812, H. 1282, Regular Session 1965, which authorizes the designation of voting centers and further provides for and regulates the manner of conducting elections in counties in this state having populations of not less than 300,000 nor more than 500,000 inhabitants according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Radney	
Adams	Giles	McDermott	Skidmore	
Albea	Gilmore	Nabors	Stone	
Bailes	Givhan	O'Bannon	Torbert	
Branyon	Goodwyn	Oden	Turner	
Carr	Leonard	Pelham	Vacca	
Childs	Lindsey			—25

Nays: —0

The Bill:

S. 261. To amend Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, p. 597), relating to the compensation of the chief deputy and certain employees in the sheriff's department in counties having populations of not less than 300,000 nor more than 500,000.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Abstaining 1.

Yeas:

Messrs.:	Engel	Lolley	Pierce	
Branyon	Giles	McCarley	Radney	
Carr	Gilmore	McDermott	Skidmore	
Childs	Givhan	Nabors	Stone	
Clark	Jackson	O'Bannon	Torbert	
Cooper	Leonard	Oden	Turner	
Dominick	Lindsey			—25

Nays: —0

Abstaining: Mr. Pelham —1

The Bill:

S. 211. To amend further Section 1, Act No. 11, S. 59, Regular Session 1959, as amended, an act fixing the compensation of certain officers of Dallas County.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Adams	Folsom	Lindsey	Pierce	
Albea	Giles	Lolley	Radney	
Bailes	Givhan	McCarley	Skidmore	
Branyon	Harris	McDermott	Stone	
Carr	Hawkins	Morrow	Vacca	
Childs	Jackson			—25

Nays: —0

The Bill:

H. 1. Relating to all counties having populations of not less than 48,100 nor more than 49,700 according to the most recent federal decennial census; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the proabte judge; requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general fund of the county; and defining terms.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Adams	Folsom	Lolley	Radney	
Albea	Givhan	Nabors	Stone	
Childs	Goodwyn	O'Bannon	Torbert	
Clark	Harris	Oden	Turner	
Cooper	Jackson	Pelham	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

S. 1. To amend Act No. 326, H. 775, Regular Session 1965 (Acts 1965, p. 809), relating to judicial circuits composed of only one county and having a population of not less than 60,500 nor more than 65,000 inhabitants; which authorizes the appointment of a deputy circuit solicitor; so as to provide further for the compensation of such solicitor.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, S. B. 1, to-wit:

SUBSTITUTE FOR S. B. 1

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 326, H. 775, Regular Session 1963 (Acts 1963, p. 809), relating to judicial circuits composed of only one county and having a population of not less than 60,500 nor more than 65,000 inhabitants; which authorizes the appointment of a deputy circuit solicitor; so as to provide further for the compensation of such solicitor.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 326, H. 775, Regular Session 1963 (Acts 1963, p. 809), relating to judicial circuits composed of only one county and having a population of not less than 60,500 nor more than 65,000, according to the most recent federal decennial census, which authorizes the appointment of a deputy circuit solicitor is hereby amended to read as follows:

"Section 1. In all judicial circuits in the State of Alabama composed of only one county and having a population of not less than 60,500 and not more than 65,000 inhabitants according to the last or any succeeding federal decennial census, the solicitor of said circuit is authorized and empowered to appoint one deputy in addition to the deputy heretofore provided for by law. The compensation of such deputy solicitor shall be nine thousand six hundred dollars ($9,600) per annum until he has served in such office for two years. After he has served for two years his compensation shall, on the recommendation of the circuit solicitor, be increased to twelve thousand dollars per annum. The compensation of the deputy shall be payable in equal monthly installments, or in semi-monthly installments, out of the general fund of the county composing such judicial circuit as other salaries are paid. Such deputy circuit solicitor shall be subject to the provisions of subsection 13 of Section 229 of Title 13, of the Code of Alabama of 1940."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	O'Bannon	
Adams	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Carr	Givhan	Lolley	Radney	
Childs	Goodwyn	McDermott	Turner	
Clark	Harris	Morrow	Vacca	
Cooper	Hawkins			—25

Nays: —0

And said Bill, S. B. 1, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	O'Bannon	
Adams	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Carr	Givhan	Lolley	Radney	
Childs	Goodwyn	McDermott	Turner	
Clark	Harris	Morrow	Vacca	
Cooper	Hawkins			—25
Nays:				—0

The Bill:

S. 367. To amend Section 2 of Act No. 287, Acts of Alabama, First Special Session, 1965 (p. 395), entitled, "An Act Relating to cities having populations of not less than 200,000 nor more than 300,000, according to the last or any subsequent federal decennial census; affecting and regulating the commission form of government which now exists or which may hereafter exist in any such cities; prescribing the compensation of the members of the boards of commissioners; prescribing and imposing a qualifying fee upon persons who desire to become candidates for the office of commissioner."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Abstaining 1.

Yeas:

Messrs.:	Giles	Lolley	Radney	
Branyon	Gilmore	McDermott	Skidmore	
Carr	Givhan	Nabors	Stone	
Childs	Goodwyn	O'Bannon	Torbert	
Clark	Harris	Oden	Turner	
Cooper	Leonard	Pierce	Vacca	
Engel	Lindsey			—25
Nays:				—0
Abstaining:	Mr. Pelham			—1

The Bill:

S. 214. To withdraw and take away all authority, power, and duties of constables relative to criminal and quasi-criminal matters in all counties having populations of not less than 31,500 nor more than 35,500, according to the most recent federal decennial census; repealing conflicting laws.

was taken up.

Mr. McCarley offered the following amendment to the Bill, S. B. 214, to-wit:

AMENDMENT TO S. B. 214

Amend Senate Bill 214 as follows:

Amend the title of Senate Bill 214 by striking therefrom the figures 35,500 and adding in lieu thereof the figures 32,200.

Also in Section 1 of Senate Bill 214, strike the figures 35,500 and add in lieu thereof the figures 32,200.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Radney	
Branyon	Givhan	McCarley	Skidmore	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays: —0

And said Bill, S. B. 214, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Radney	
Branyon	Givhan	McCarley	Skidmore	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

S. 215. Relating to retirement systems for certain county employees in all counties having populations of not less than 31,500 nor more than 35,500, according to the most recent federal decennial census; providing further for eligibility for membership in such retirement systems.

was taken up.

Mr. McCarley offered the following amendment to the Bill, S. B. 215, to-wit:

AMENDMENT TO S. B. 215

Amend Senate Bill 215 as follows:

Amend the Title of Senate Bill 215 by striking therefrom the figures 35,500 and adding in lieu thereof the figures 32,200.

Also in Section 1 of Senate Bill 215, strike the figures 35,500 and add in lieu thereof the figures 32,200.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Adams	Folsom	McCarley	Pierce	
Albea	Giles	Morrow	Radney	
Bailes	Gilmore	Nabors	Skidmore	
Branyon	Givhan	O'Bannon	Stone	
Carr	Jackson	Oden	Torbert	
Childs	Leonard			—25
Nays:				—0

And said Bill, S. B. 215, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Adams	Folsom	McCarley	Pierce	
Albea	Giles	Morrow	Radney	
Bailes	Gilmore	Nabors	Skidmore	
Branyon	Givhan	O'Bannon	Stone	
Carr	Jackson	Oden	Torbert	
Childs	Leonard			—25
Nays:				—0

The Bill:

S. 216. To create the office of warrant clerk in all counties having populations of not less than 31,500 nor more than 35,500 according to the most recent federal decennial census; to provide for his appointment, tenure, duties and compensation; and to repeal conflicting laws.

was taken up.

Mr. McCarley offered the following amendment to the Bill, S. B. 216, to-wit:

AMENDMENT TO S. B. 216

Amend Senate Bill 216 as follows:

Amend the title of Senate Bill 216 by striking therefrom the figures 35,500 and adding in lieu thereof the figures 32,200.

Also in Section 1 of Senate Bill 216, strike the figures 35,500 and add in lieu thereof the figures 32,200.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Oden	
Adams	Engel	Lindsey	Pelham	
Albea	Folsom	McCarley	Stone	
Carr	Giles	Morrow	Torbert	
Childs	Harris	Nabors	Turner	
Clark	Hawkins	O'Bannon	Vacca	
Cooper	Jackson			—25
Nays:				—0

And said Bill, S. B. 216, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Oden	
Adams	Engel	Lindsey	Pelham	
Albea	Folsom	McCarley	Stone	
Carr	Giles	Morrow	Torbert	
Childs	Harris	Nabors	Turner	
Clark	Hawkins	O'Bannon	Vacca	
Cooper	Jackson			—25

Nays: —0

The Bill:

S. 368. To provide for the compensation of jurors in Mobile County; repealing conflicting laws and specifically repealing Act No. 62, H. 157, Regular Session 1907, (Acts 1907, p. 68).

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Abstaining 1.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Bailes	Givhan	Lolley	Radney	
Branyon	Goodwyn	McDermott	Skidmore	
Carr	Harris	Nabors	Stone	
Childs	Hawkins	O'Bannon	Torbert	
Clark	Jackson	Oden	Turner	
Cooper	Leonard			—25

Nays: —0

Abstaining: Mr. Pelham —1

The Bill:

S. 375. Relating to counties having populations of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	McCarley	Pelham	
Adams	Folsom	McDermott	Pierce	
Albea	Giles	Morrow	Radney	
Childs	Goodwyn	Nabors	Skidmore	
Clark	Harris	O'Bannon	Stone	
Cooper	Jackson	Oden	Vacca	
Dominick	Lolley			—25

Nays: —0

The Bill:

S. 376. To regulate the compensation of jurors in counties having populations of not less than 33,000 nor more than 35,000.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Morrow	
Adams	Folsom	Leonard	Pelham	
Albea	Giles	Lindsey	Pierce	
Bailes	Gilmore	Lolley	Radney	
Branyon	Givhan	McCarley	Skidmore	
Carr	Goodwyn	McDermott	Vacca	
Childs	Harris			—25

Nays: —0

The Bill:

S. 377. To amend Act No. 235, S. 97, Regular Session 1967, an act providing for the appointment and compensation of deputies and assistants of the sheriff of Barbour County, so as to make further provisions respecting the compensation and appointment of jailers.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Stone	
Bailes	Giles	Nabors	Torbert	
Branyon	Harris	O'Bannon	Turner	
Carr	Hawkins	Oden	Vacca	
Clark	Jackson			—25

Nays: —0

The Bill:

S. 402. To provide that the Board of Revenue, or like governing body now existing or that may be hereafter created in all Counties of Alabama, having a population of not less than 160,000 nor more than 300,000 inhabitants according to the 1960 Federal Census or any subsequent regular decennial Federal Census pay to the Recorder of the Recorder's Court of all cities located in said County or counties for ex officio services rendered by the Recorder in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Five Thousand One Hundred and NO/100 (5,100.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury, and providing further for the payment to the designated Prosecuting Attorney of the Recorder's Court located in said County or counties for ex officio services rendered by him in the prosecution of cases in Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Two

Thousand Four Hundred and NO/100 (2,400.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pierce	
Adams	Folsom	McDermott	Skidmore	
Carr	Giles	Morrow	Stone	
Childs	Gilmore	Nabors	Torbert	
Clark	Goodwyn	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

S. 409. Relating to counties having a population of not less than 15,500 nor more than 16,300; increasing the salary of the deputy solicitor in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lolley	Oden	
Adams	Engel	McCarley	Skidmore	
Albea	Givhan	McDermott	Stone	
Branyon	Goodwyn	Morrow	Torbert	
Childs	Harris	Nabors	Turner	
Clark	Hawkins	O'Bannon	Vacca	
Cooper	Jackson			—25

Nays: —0

The Bill:

S. 410. Relating to counties having populations of not less than 100,000 nor more than 115,000; to provide an additional, alternative procedure whereby cities and towns in such counties may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Adams	Folsom	Lolley	Pierce	
Albea	Giles	McCarley	Skidmore	
Bailes	Gilmore	McDermott	Torbert	
Branyon	Givhan	O'Bannon	Turner	
Carr	Jackson	Oden	Vacca	
Childs	Leonard			—25

Nays: —0

The Bill:

S. 418. Relating to Pike County; to provide for election of County Commissioners by the qualified electors of the county at large.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lolley	Pelham	
Branyon	Givhan	McDermott	Pierce	
Carr	Goodwyn	Morrow	Radney	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

S. 422. Relating to counties having a population of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census; increasing the salary of the Judge of the Inferior Court for such counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Adams	Folsom	Lolley	Radney	
Albea	Giles	McCarley	Skidmore	
Bailes	Gilmore	McDermott	Stone	
Clark	Givhan	Oden	Torbert	
Cooper	Jackson	Pelham	Turner	
Dominick	Leonard			—25

Nays: —0

The Bill:

S. 429. To provide that the Governing Body of any City or town in any county in the State of Alabama having a population, according to the last or any future Federal Census, in excess of 300,000 inhabitants and less than 600,000 inhabitants may, by resolution or ordinance, create the position of Assistant City Attorney on a full time basis, and designate the position to be that of the Senior Assistant City Attorney, or Principal Attorney, or other such appropriate title; and may provide by the same resolution or ordinance that any person presently holding such position in the municipal government shall be immediately placed upon the employment roster of any countrywide Civil Service or merit system of such county, without examination and without any decrease in the salary of such person, and such position shall thereafter remain under the provisions of any such countrywide Civil Service or merit system.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Abstaining 1.

Yeas:

Messrs.:	Clark	Hawkins	O'Bannon	
Adams	Engel	Leonard	Oden	
Albea	Giles	Lindsey	Pierce	
Bailes	Gilmore	Lolley	Radney	
Branyon	Givhan	McDermott	Skidmore	
Carr	Goodwyn	Nabors	Stone	
Childs	Harris			—25

Nays: —0

Abstaining: Mr. Pelham —1

The Bill:

S. 431. To alter, rearrange and extend the boundaries and corporate limits of the Town of Weaver, Calhoun County, Alabama, so as to annex certain territory to the Town.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	McCarley	Radney	
Albea	Gilmore	McDermott	Skidmore	
Branyon	Givhan	Morrow	Stone	
Carr	Goodwyn	Nabors	Torbert	
Childs	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25

Nays: —0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Lindsey, further consideration of the Bill, S. B. 406, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 263. To authorize the circuit clerk of Autauga County to appoint two deputies and to provide for their compensation, repealing Act No. 318, H. 829, approved July 28, 1949 (Acts 1949, p. 449).

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Harris	Oden	
Adams	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	McCarley	Radney	
Branyon	Gilmore	Morrow	Skidmore	
Carr	Givhan	Nabors	Stone	
Childs	Goodwyn			—25

Nays: —0

The Bill:

S. 379. Relating to the Office of the Sheriff of Houston County; providing further for the appointment, number, term, duties and compensation of the deputies of the Sheriff, and repealing conflicting laws, including Act No. 163, H. 765, Regular Session 1965 (Approved July 23, 1965).

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	McDermott	Radney	
Adams	Givhan	Morrow	Skidmore	
Carr	Goodwyn	Nabors	Stone	
Childs	Harris	O'Bannon	Torbert	
Clark	Hawkins	Oden	Turner	
Cooper	Jackson	Pierce	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

S. 424. Relating to Elmore County: abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

was taken up.

Mr. Radney offered the following amendment to the Bill, S. B. 424, to-wit:

AMENDMENT TO S. B. 424

Insert immediately after the words "cognizable before a juvenile court" in the third sentence from the last sentence in Section 2, the following: ", and the provisions of Chapter 7, Title 13, Code of Alabama 1940, as amended, shall apply;"

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Pelham	
Branyon	Givhan	McDermott	Radney	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lolley			—25

Nays: —0

And said Bill, S. B. 424, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Pelham	
Branyon	Givhan	McDermott	Radney	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lolley			—25

Nays: —0

RESOLUTIONS

Messrs. Goodwyn, Vacca, Radney, Lindsey, O'Bannon, Nabors, McCarley, Folsom, Lolley, Giles, McDermott, Torbert and Harris offered the following Senate Resolution, to-wit:

S. R. 26. WHEREAS the beautiful city of Eufaula, Alabama has recently played the role of gracious host to the members of this body, under the leadership of our esteemed colleague Jimmy Clark, and with the able assistance of Sim Thomas; and

WHEREAS all of the members of this body enjoyed the picturesque and scenic beauties to be beheld in the city of Eufaula and on the lake, and were pleasantly surprised at the variety of entertainment, sport and conviviality available at this renowned resort; and

WHEREAS many of us attempted to slay and carry home one or more of the bass for which Lake Eufaula is justly famed, and although the wily fish eluded many of us, some were caught; and

WHEREAS there will long remain a pleasant memory in our minds and hearts of the gracious hospitality and sincere welcome given us by Mayor Graves, the citizens of Eufaula and the officials of the Fresh Water Fishing Rodeo, now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, That this body express its heartfelt thanks to Senator Clark, Mayor Graves, Mr.

Thomas and all the gracious people of Eufaula for an exhilarating and enjoyable sample of life and pleasure in the "Bluff City of the Chattahoochee."

BE IT FURTHER RESOLVED, That a copy of this resolution be sent each of our "hosts," and to Mayor Hamp Graves of Eufaula.

On motion of Mr. Vacca, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 425. To alter, rearrange, redefine, and extend the boundary lines and corporate limits of the Town of Camp Hill, in Tallapoosa County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Adams	Folsom	Lolley	Radney	
Albea	Giles	McCarley	Stone	
Bailes	Gilmore	McDermott	Torbert	
Branyon	Givhan	Morrow	Turner	
Carr	Goodwyn	Oden	Vacca	
Childs	Leonard			—25

Nays: —0

The Bill:

S. 2. Concerning crimes and punishments, and prohibiting certain trespass upon the property of and the interference with the peaceful conduct of institutions of higher education; and prescribing penalties.

was taken up.

Mr. Harris offered the following amendment to the Bill, S. B. 2, to-wit:

AMENDMENT TO SB 2

Amend Senate Bill 2, Section 2 (5) to read

(5) Any person who violates any of the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed five hundred dollars, or imprisoned in the county jail for a period not to exceed one year, or by both such fine and imprisonment; such person, upon conviction, if he is at the time of conviction a student enrolled in any institution of higher education which received any public funds from the State of Alabama by any general or special appropriation, shall also be subjected to appropriate disciplinary action by the institutional authorities.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Pelham	
Adams	Gilmore	Lolley	Pierce	
Albea	Givhan	McCarley	Radney	
Bailes	Harris	McDermott	Stone	
Carr	Hawkins	Morrow	Torbert	
Childs	Jackson	Nabors	Turner	
Dominick	Leonard	O'Bannon	Vacca	
Engel				—28

Nays: —0

And said Bill, S. B. 2, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 28; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Nabors	
Adams	Folsom	Leonard	O'Bannon	
Albea	Gilmore	Lindsey	Pierce	
Bailes	Givhan	Lolley	Radney	
Carr	Goodwyn	McCarley	Stone	
Childs	Harris	McDermott	Torbert	
Cooper	Hawkins	Morrow	Vacca	
Dominick				—28

Nays: —0

The Bill:

S. 3. To make it a felony for any non-student to promote or participate in a riot at any school.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 31; Nays 0.

Yeas:

Messrs.:	Cooper	Hawkins	O'Bannon	
Adams	Dominick	Jackson	Oden	
Albea	Engel	Leonard	Pierce	
Bailes	Folsom	Lindsey	Radney	
Branyon	Gilmore	Lolley	Stone	
Carr	Givhan	McCarley	Torbert	
Childs	Goodwyn	McDermott	Turner	
Clark	Harris	Morrow	Vacca	
				—31

Nays: —0

The Bill:

S. 126. To levy a license fee on Certified Public Accountants engaged in the practice of Public Accounting in the State of Alabama and to provide for the disposition of funds.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 27; Nays 0.

Yeas:

Messrs.:	Cooper	Jackson	Nabors
Adams	Dominick	Leonard	O'Bannon
Albea	Engel	Lindsey	Pierce
Bailes	Folsom	Lolley	Radney
Branyon	Gilmore	McCarley	Stone
Carr	Goodwyn	McDermott	Turner
Childs	Hawkins	Morrow	Vacca

—27

Nays: —0

The Bill:

S. 130. To make further provisions respecting distribution to municipalities, under Act No. 224 adopted at the 1967 Special Session of the Legislature of Alabama, of that portion allocated to municipalities under the said Act No. 224 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Sections 5 and 7 of the said Act No. 224, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities under Section 5 of the said Act No. 224 that have not yet been distributed to the said municipalities.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, S. B. 130, to-wit:

SUBSTITUTE FOR S. B. 130

A BILL
TO BE ENTITLED
AN ACT

To make further provisions respecting distribution to municipalities, under Act No. 224 adopted at the 1967 Special Session of the Legislature of Alabama, of that portion allocated to municipalities under the said Act. No. 224 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Sections 5 and 7 of the said Act No. 224, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities under Section 5 of the said Act No. 224 that have not yet been distributed to the said municipalities.

Be it Enacted by the Legislature of Alabama:

Section 1. Amendment of Act No. 224, 1967 Special Session. Act No. 224 adopted at the 1967 Special Session of the Legislature of Alabama, which relates to the distribution and use of proceeds from that certain excise tax, referred to in the said act as (and herein called) the "highway gasoline tax," and consisting of (a) the excise tax levied under Section 647 of Title 51

of the Code of Alabama of 1940, as amended, exclusive of those portions of the said tax in respect of aviation fuel and marine gasoline, as those terms are used in the said Section 647, and (b) the excise tax levied by Section 674 adopted at the 1961 Regular Session of the Legislature, as amended, exclusive of that portion of the said tax in respect of diesel fuel, is hereby amended as follows:

(A) Section 5 of the said Act No. 224 shall be and hereby is amended to read as follows:

Section 5. Disposition of Sums Allocated and Apportioned to Counties. The amounts allocated or apportioned to each county pursuant to each of Sections 3 and 4 of this Act shall be disposed of as follows: (a) Ten per centum (10%) of the amount so allocated or apportioned to each county shall be distributed among the municipalities in the county with respect to which the allocation or apportionment is made, each such distribution among the said municipalities to be on the basis of the ratio of the population of each such municipality to the total population of all municipalities in the applicable county according to the then next preceding federal decennial census; and (b) the remaining portion of the amount so allocated or apportioned to each county shall be distributed to the county with respect to which such allocation or apportionment is made. The distributions provided for in this paragraph shall be made monthly.

The population of any municipality incorporated subsequent to the taking of the then next preceding federal decennial census shall be deemed to be the population shown by the census for that municipality taken pursuant to the requirements of Section 13 of Title 37 of the Code of Alabama of 1940. Any municipality incorporated after September 30, 1967, shall not participate in the distribution provided for in this section until the fiscal year next succeeding the fiscal year during which it is incorporated, the first distribution to such municipality to be made in respect of receipts of the highway gasoline tax by the State during October of the fiscal year next succeeding the said incorporation.

When requested so to do by any municipality, the highway department may at its discretion make available the services and advice of its engineers and other employees with respect to any work for which that municipality proposes to expend moneys distributed to it under this act. Any such services and advice that may be so made available shall be provided under such terms and conditions as may be mutually agreeable to the highway department and the municipality.

(B) Section 7 of the said Act No. 224 shall be and hereby is amended to read as follows:

Section 7. Use of Net Tax Proceeds for Highway Purposes. Wherever in this act any portion of the net tax proceeds is provided to be applied or used for highway purposes, the same shall be used as follows:

(a) Where the use is by the highway department, such use shall, with the approval of the Governor, be for the construction of public roads and bridges in the state, the maintenance of public roads and bridges on the state highway system, the equipment and preparation of convicts for use upon the public roads and bridges in the state, the maintenance of such convicts while at work upon such roads and bridges, the compensation to the state for the said use of such convicts, and for such other public road and bridge purposes in the state as may be authorized by the highway department with the approval of the Governor;

(b) Where the use is by a county, such use shall be for transportation planning, the construction, reconstruction, maintenance, widening, alteration and improvement of public roads and bridges as is now or may hereafter be provided by law, including payment of the principal of and interest on any securities at any time issued by the county pursuant to law for payment of which all or any of the net tax proceeds were or may be lawfully pledged, and such use may also be for the purpose and subject to the provisions contained in Act No. 838 adopted at the 1953 Regular Session of the Legislature;

(c) Where the use is by a municipality, such use shall be for transportation planning, the construction, reconstruction, maintenance, widening, alteration and improvement of public roads, bridges, streets and other public ways, including payment of the principal of and interest on any securities at any time issued by the municipality pursuant to law for the payment of which any part of the net tax proceeds were or may be lawfully pledged; provided, that no part of the net tax proceeds referred to in this section shall be expended contrary to the provisions of the constitution.

Section 2. Disposition of Accrued Highway Gasoline Tax Proceeds Allocated to Municipalities Prior to the Effective Date of this Act. The State Treasurer shall, within thirty days after the effective date of this act, pay over and distribute to each municipality all monies theretofore allocated and accrued to the said municipality under the provisions of Act No. 224, except those monies which, by the terms of a written agreement theretofore executed between the highway department and a municipality, is due and payable to the highway department. The highway department shall, within five days after the effective date of this act, file with the state treasurer a certificate, signed by the highway director, showing the amount of money due to the highway department under the terms of the aforesaid written agreement and the highway director shall furnish a copy of the said certificate to the applicable municipality. The state treasurer shall, within thirty days after receipt of the said certificate, pay over to the highway department, out of monies allocated to the said applicable municipality under the said Act 224, prior to the effective date of this act, the amount stated in the said certificate and shall pay over to the said municipality any residue of monies allocated to such municipality as aforesaid. None of the provisions of this section shall be deemed to prevent the highway department and any municipality from entering into any arrangement mutually agreeable to them for payment of any compensation to the highway department that the municipality may have agreed to make in any contract entered into prior to the effective date of this act. The highway department and any such municipality are hereby specifically authorized to enter into any other arrangement, and in the event mutually satisfactory arrangements for payment of any such compensation are made between the said department and any municipality, the department shall not file the certificate hereinabove provided for with respect to that municipality.

Section 3. Provision for Continued Reimbursement of the Highway Department from Funds accruing under Act 224 to Fulifll Prior Agreements and Future Obligations. Where the funds accrued to a municipality, under Act 224, are insufficient to pay the obligation of a municipality for services completed, in progress, or to be accomplished as established by terms of prior agreements with the highway department, the state treasurer shall each month pay into the highway department from funds accruing under Act 224 to such municipality such amount due the highway department until the services are completed and the obligation of the municipality is paid in full, and

shall pay any residue, after final payment to the highway department, over to the said municipality.

Where agreements between the highway department and a municipality are executed subsequently to the effective date of this act for services to the municipality, payment for such services may be made by the state treasurer from funds accruing to the credit of the said municipality directly to the highway department in accordance with the terms of the agreement.

Section 4. All agreements between the highway department and the municipalities entered into under the provisions of Act 224 in which highway department funds, forces, and/or equipment are not involved are hereby cancelled upon the effective date of this act. Where the state highway department has received an administrative cost of five per cent (5%) under such agreements the highway department shall, within 30 days after the effective date of this act, pay to the state treasurer five per cent (5%) of the remaining project budget balance after any special engineering cost has been deducted. Special engineering is defined as any engineering work performed over and above routine checking of plans and usual administrative procedures. The state treasurer shall, when such funds have been received from the highway department, remit such funds to the appropriate municipality.

Section 5. This Act Inapplicable Where Section 5 of Act No. 224 has been Superseded by Local Act or General Act of Local Application. The provisions of this act are not intendd to be referable to, and they shall have no application with respect to, the distribution of the highway gasoline tax among any county and the municipalities therein pursuant to the provisions of any local act or general act of local application which by its terms supersedes Section 5 of the said Act No. 224.

Section 6. Severability. The provisions of this act are hereby declared severable. If any part of this act should be held invalid, such holding shall not affect the part which remains.

Section 7. Effective Date. This act shall become effective on the first day of the second month following its being signed by the Governor or otherwise becoming law.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Nabors	
Adams	Engel	Leonard	O'Bannon	
Albea	Folsom	Lindsey	Radney	
Bailes	Gilmore	Lolley	Stone	
Branyon	Givhan	McCarley	Turner	
Clark	Goodwyn	McDermott	Vacca	
Cooper	Hawkins	Morrow		—26

Nays: —0

Mr. Lindsey offered the following amendment to the Bill, S. B. 130, as amended by the substitute, to-wit:

AMENDMENT TO S. B. NO. 130, AS SUBSTITUTED

Amend Section 1-(B), at the end of said sub-section, by deleting the period after the word "constitution" and inserting in lieu thereof a semi-colon,

and adding the following words: "and provided further that funds distributed to municipalities under the provisions of this Act shall not be commingled with other funds of the municipality and shall be kept and disbursed by such municipality from a special fund only for the purposes hereinabove provided."

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Oden	
Adams	Folsom	Lolley	Pierce	
Albea	Gilmore	McCarley	Radney	
Bailes	Givhan	McDermott	Stone	
Branyon	Goodwyn	Morrow	Torbert	
Childs	Hawkins	Nabors	Turner	
Cooper	Jackson	O'Bannon	Vacca	
Dominick	Leonard			—29

Nays: —0

And said Bill, S. B. 130, as amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment:

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Oden	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Gilmore	McCarley	Stone	
Branyon	Givhan	McDermott	Torbert	
Childs	Goodwyn	Morrow	Turner	
Clark	Hawkins	Nabors	Vacca	
Cooper	Jackson	O'Bannon		—30

Nays: —0

The Bill:

S. 124. To further provide for supernumerary district attorneys.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 1.

Yeas:

Messrs.:	Engel	Jackson	Pierce	
Adams	Folsom	Leonard	Radney	
Albea	Gilmore	Lolley	Stone	
Bailes	Givhan	McDermott	Torbert	
Childs	Goodwyn	Morrow	Turner	
Clark	Hawkins	O'Bannon	Vacca	
Cooper				—24

Nay: Mr. Branyon —1

The Bill:

S. 125. Pertaining to the salaries, tenure and removal of supernumerary district attorneys.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 1.

Yeas:

Messrs.:	Folsom	Lindsey	O'Bannon	
Adams	Givhan	Lolley	Oden	
Albea	Goodwyn	McCarley	Radney	
Bailes	Hawkins	McDermott	Stone	
Clark	Jackson	Morrow	Turner	
Cooper	Leonard	Nabors	Vacca	
Engel				—24

Nay: Mr. Branyon —1

The Bill:

S. 119. To amend Sections 5 and 6 of Title 7, Code of Alabama, 1940, in relation to papers to be recorded on filing and when record used on trial of cause.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, S. B. 119, to-wit:

SENATE JUDICIARY COMMITTEE AMENDMENT TO S. B. 119

Amend S. B. 119 by adding at the end of Section 1 the following: "Jefferson County is exempted from the provisions of this Act."

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Albea	Gilmore	Lolley	Radney	
Bailes	Givhan	McCarley	Turner	
Branyon	Goodwyn	Nabors	Vacca	
Dominick	Leonard	O'Bannon		—18

Nays: —0

Mr. Engel offered the following amendment to the Bill, S. B. 119, as amended, to-wit:

AMENDMENT TO S. B. 119

In Section 1, paragraph 1, "Section 5." strike out the first two lines thereof and insert the following: "Section 5. Papers to be recorded on filing. (a) The original pleading in suits in equity,"

Also, in Section 1, paragraph 5, "(b)" strike out the last two sentences and insert in lieu thereof the following: "representing the parties therein to file a copy thereof with the clerk of the Court."

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Oden	
Adams	Engel	Lindsey	Pierce	
Albea	Gilmore	Lolley	Radney	
Bailes	Givhan	McCarley	Turner	
Branyon	Goodwyn	Nabors	Vacca	
Cooper	Hawkins	O'Bannon		—22

Nays: —0

And said Bill, S. B. 119, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 23; Nays 0.

Yeas:

Messrs.:	Cooper	Lindsey	Oden	
Adams	Dominick	Lolley	Pierce	
Albea	Engel	McCarley	Radney	
Bailes	Goodwyn	McDermott	Stone	
Branyon	Hawkins	Nabors	Turner	
Clark	Leonard	O'Bannon	Vacca	
				—23

Nays: —0

The Bill:

S. 266. To amend Section 16 of Title 23 of the Code of Alabama of 1940 providing for certain rules and regulations of the highway department.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Clark	Leonard	Oden	
Adams	Cooper	Lindsey	Pierce	
Albea	Dominick	Lolley	Radney	
Bailes	Engel	McCarley	Turner	
Branyon	Givhan	McDermott	Vacca	
Childs	Goodwyn	Nabors		—22

Nays: —0

The Bill:

S. 267. To amend Section 402 (65) of Title 37 of the Code of Alabama of 1940 to provide for the use of the public roads by gas districts in this State.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 27; Nays 0.

Yeas:

Messrs.:	Cooper	Leonard	Pierce	
Adams	Dominick	Lindsey	Radney	
Albea	Engel	Lolley	Skidmore	
Bailes	Gilmore	McCarley	Stone	
Branyon	Givhan	McDermott	Torbert	
Childs	Goodwyn	Nabors	Turner	
Clark	Hawkins	Oden	Vacca	
				—27

Nays: —0

The Bill:

S. 113. To amend Section 184, Title 39, Code of Alabama 1940, as amended, relating to Sundays and holidays so as to provide for the observance of certain legal public holidays on Mondays.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dominick	McCarley	Radney	
Adams	Givhan	McDermott	Skidmore	
Albea	Goodwyn	Morrow	Stone	
Branyon	Hawkins	Nabors	Torbert	
Childs	Leonard	Oden	Turner	
Clark	Lindsey	Pierce	Vacca	
Cooper				—24

Nays: —0

The Bill:

S. 114. Relating to newspaper carriers; to make it unlawful to defraud a newsboy, and to provide penalties therefor.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Lindsey	Pierce	
Adams	Dominick	Lolley	Radney	
Albea	Engel	McDermott	Stone	
Bailes	Givhan	Morrow	Torbert	
Branyon	Goodwyn	Nabors	Turner	
Childs	Harris	Oden	Vacca	
Clark	Leonard			—25

Nays: —0

The Bill:

S. 54. To make an appropriation to Auburn University for operation and maintenance of the school at Montgomery.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Radney	
Adams	Givhan	McDermott	Skidmore	
Albea	Goodwyn	Morrow	Stone	
Bailes	Hawkins	Nabors	Torbert	
Childs	Jackson	Oden	Turner	
Clark	Leonard	Pierce	Vacca	
Cooper				—24

Nays: —0

The Bill:

S. 340. To amend further Code of Alabama 1940, Title 24, Section 18, as amended, so as to increase the penalty for obtaining board by fraud or misrepresentation.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 23; Nays 0.

Yeas:

Messrs.:	Cooper	Jackson	Radney	
Adams	Engel	Lolley	Skidmore	
Albea	Givhan	McCarley	Stone	
Bailes	Goodwyn	McDermott	Torbert	
Childs	Harris	Morrow	Turner	
Clark	Hawkins	Nabors	Vacca	
				—23

Nays: —0

The Bill:

S. 405. To amend Section 6, as amended, and Section 7 of Act No. 158, Acts of Alabama, First Special Session 1956, entitled An Act to provide for and fix the manner in which the Director of Conservation may execute oil, gas and mineral leases on all lands under the jurisdiction of the Department of Conservation; to further provide for the manner in which the Director of Conservation may execute oil, gas and mineral leases on lands belonging to other State departments or agencies; to further provide for the manner in which lands or any rights of interest therein under any navigable streams or navigable waters, bays, estuaries, lagoons, bayous or lakes, and the shores along the navigable waters to high tide mark, and submerged lands in the Gulf of Mexico within the historic seaward boundary of this State, which is hereby declared to extend seaward six leagues from the land bordering the Gulf, may be leased and managed by the Director of Conservation; to provide for pooling and unitization agreements; to provide for the disposition of revenue derived from such leases; to provide for the Governor's approval for all such agreements, and to further provide for the repeal of all laws in conflict with the provisions of this Act.

was taken up.

Mr. Nabors offered the following amendment to the Bill, SB 405, to-wit:

AMENDMENT TO S. B. 405

Amend S. B. #405 by striking "10%" wherever it appears in section 1 and inserting in lieu thereof "7½%".

On motion of Mr. Lindsey, said amendment was laid on the table.

Yeas 20; Nays 7.

Yeas:

Messrs.:	Folsom	Lindsey	Radney	
Adams	Goodwyn	Lolley	Stone	
Branyon	Hawkins	McCarley	Torbert	
Carr	Jackson	McDermott	Turner	
Cooper	Leonard	Oden	Vacca	
Engel				—20

Nays:

Messrs.:	Childs	Gilmore	Morrow	
Bailes	Dominick	Givhan	Nabors	
				—7

Mr. Albea offered the following amendment to the Bill, SB 405, to-wit:

AMENDMENT TO S. B. 405

Amend Sec. 6 of S. B. 405 by deleting the words "The Montgomery Advertiser" and substituting in lieu thereof the words "A newspaper of general circulation published daily in the Capitol City of the State of Alabama".

On motion of Mr. Lindsey, said amendment was laid on the table.

Mr. Nabors moved that further consideration of the Bill, SB 405, be postponed until the next Legislative Day, and the motion to postpone was lost.

And said Bill, SB 405, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 3.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Adams	Folsom	Lolley	Radney	
Albea	Givhan	McCarley	Stone	
Branyon	Goodwyn	McDermott	Torbert	
Carr	Harris	Nabors	Turner	
Clark	Jackson	O'Bannon	Vacca	
Cooper	Leonard	Oden		—26

Nays:

Messrs.:	Bailes	Childs	Dominick	
				—3

The Bill:

S. 373. To provide for the supervision, management, development, and control of certain State-owned islands in the waters of Alabama.

was taken up.

Mr. Nabors moved that further consideration of the Bill, S. B. 373, be postponed until the next Legislative Day. Mr. McDermott moved that the motion to postpone be laid on the table, and the motion to table was lost.

The question then recurred on the motion of Mr. Nabors, and further consideration of the Bill, S. B. 373, was postponed until the next Legislative Day.

The Bill:

S. 385. To provide the board of trustees of the University of South Alabama with additional powers and authority including the right to acquire title to certain real and personal property on Dauphin Island, including the seafood laboratory for marine biology, to be used by said university for purposes of research, instruction and other related purposes; to authorize the conservation department to transfer and convey its interest in and jurisdiction over said property with the exception of certain property and facilities necessary to the conservation department for licensing and law enforcement purposes; to provide for a division of responsibility for such property between the university and the conservation department; to provide that such conveyance shall be subject to the approval of the Mobile Area Public Higher Education Foundation, Inc. and to the terms of the lease agreement between said foundation and the conservation department and to provide for the manner of said conveyance; to authorize the state highway department to construct, reconstruct and maintain roads leading to and within said property including necessary parking area.

was taken up.

Mr. Harris offered the following amendment to the Bill, S. B. 385, to-wit:

AMENDMENT TO S. B. 385

Amend Section 3 by deleting therefrom the sentence:

"Such transfer and conveyance to the university shall not be deemed to constitute any obligation on the part of the University for the payment of any money under the terms of the said lease agreement."

And substituting therefor the following:

"Upon such transfer and conveyance the University shall assume any obligation of the conservation department under said lease agreement and pay the same."

On motion of Mr. Engel, said amendment was laid on the table.

Yeas 17; Nays 10.

Yeas:

Messrs.:	Clark	Goodwyn	McDermott
Adams	Cooper	Jackson	Radney
Albea	Engel	Lindsey	Stone
Branyon	Folsom	Lolley	Turner
Childs	Givhan		—17

Nays:

Messrs.:	Harris	McCarley	O'Bannon	
Dominick	Hawkins	Morrow	Vacca	
Gilmore	Leonard	Nabors		—10

And said Bill, S. B. 385, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 6.

Yeas:

Messrs.:	Engel	Lindsey	Radney	
Adams	Folsom	Lolley	Skidmore	
Albea	Givhan	McCarley	Stone	
Branyon	Goodwyn	McDermott	Torbert	
Clark	Jackson	Nabors	Turner	
Cooper	Leonard	O'Bannon		—22

Nays:

Messrs.:	Dominick	Hawkins	Vacca	
Childs	Gilmore	Morrow		—6

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Merrill and Mathews:

H. J. R. 47. WHEREAS Ivo Hall Sparkman, a native of Albertville, Alabama has traveled throughout the World with her illustrious husband, Senator John J. Sparkman, and by her gracious manner and charming personality has won friends for this Nation and for Alabama wherever she has traveled;

WHEREAS Mrs. Sparkman is the author of a book telling in a most interesting manner of her travels in fifteen Asian countries; and

WHEREAS Mrs. Sparkman has always reflected credit on her native state in all her many fields of activity as the busy, but self-effacing, wife of an outstanding member of the United States Congress; now therefore

BE IT RESOLVED BY THE LEGISLATURE,, BOTH HOUSES THEREOF CONCURRING, That as an appropriate tribute to Mrs. Sparkman the new girls dormitory at Jacksonville State University is hereby named, designated and shall be known as "The Ivo Hall Sparkman Dormitory."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Albea, the Rules were suspended and the Resolution, HJR 47, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Merrill and Mathews:

H. J. R. 46. WHEREAS Dr. James Marvin Anders joined the faculty of the Jacksonville State Teachers College as assistant professor of history in 1937 and was later appointed as associate professor in the same department; and

WHEREAS in 1954 his rank was raised to that of professor and he was designated as the chairman of the Social Science Division; and

WHEREAS he served as the faculty advisor to the Student Government Association for a period of fifteen years; and

WHEREAS he has served long, faithfully, and loyally the Jacksonville State Teachers College, the Jacksonville State College, and now the Jacksonville State University and has earned the highest respect of the students, the faculty, and the administration; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the so-called "Round House" on the campus of Jacksonville State University be named and known as the Marvin Anders Auditorium in grateful appreciation of the outstanding services of Dr. Anders.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Albea, the Rules were suspended and the Resolution, HJR 46, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Merrill and Mathews:

H. J. R. 45. WHEREAS Coach Don Salls has been coach of Jacksonville State University's football team for the past twenty years, during which period of time he has won seven conference championships, three bowl games, has never lost a homecoming game and has had one undefeated season; and

WHEREAS Coach Salls has restored football on the campus from a level of mediocrity to a level that has gained the respect of the public and of the coaches of opposing teams; and

WHEREAS Coach Salls is a gentleman of dignity, scholarship and high moral principles and is the only coach in Alabama who holds the doctors degree which he earned in the field of physical education at New York State University; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the athletic dormitory at

Jacksonville State University be known as the Don Salls Dormitory as a fitting tribute to the outstanding services of Coach Salls.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Albea, the Rules were suspended and the Resolution, HJR 45, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Merrill and Mathews:

H. J. R. 44. WHEREAS Governor Albert P. Brewer has long been known for his love of the law, and he has dedicated his life to a thorough and ever increasing knowledge of very phase of law; and

WHEREAS Governor Brewer is noted for his strong belief in law observance and in a strict adherence to all laws, noxious though some of them may be. His strong but unimpassioned speeches advocating such adherence by all persons have been particularly effective; and

WHEREAS Governor Brewer consistently gives law enforcement officers his unqualified support in executing the laws of this State and of the United States to the end that law and order and justice for all shall prevail; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA BOTH HOUSES THEREOF CONCURRING, That the school of law enforcement at Jacksonville State University shall be named and known as the Albert P. Brewer School of Law Enforcement, as a fitting tribute to the many contributions of Governor Brewer in this field.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Albea, the Rules were suspended and the Resolution, HJR 44, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 116. Relating to counties having populations of not less than 14,900 nor more than 15,200; amending Act No. 122, H. 91, approved March 29, 1965 (Acts of Alabama, First Special Session 1965, p. 175).

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 275. Proposing an amendment to the Constitution of Alabama relative to a special district ad valorem tax for public school purposes in each school district of Calhoun County except the school district comprising the City of Anniston.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

S. 176. To provide for compliance with provisions of Article 3 of Title 47 of the Code of Alabama of 1940 requiring entry of partial payments of indebtedness secured by mortgage or other encumbrance on the margin of the record by the furnishing of a separate written instrument.

was taken up.

Messrs. Harris and Torbert offered the following amendment to the Bill, S. B. 176, to-wit:

AMENDMENT TO SENATE BILL 176

Amend Section 1 by deleting therefrom the following where the same appears therein:

", nor to pay the cost of filing and recording the same."

And substituting therefor the following:

"; provided however that such separate instrument so to be furnished shall be so prepared and acknowledged that the same shall be admitted to record in the office of the judge of probate where such mortgage, deed of trust or other encumbrance is recorded."

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Oden	
Adams	Engel	Lindsey	Radney	
Albea	Folsom	Lolley	Skidmore	
Branyon	Givhan	McCarley	Stone	
Carr	Goodwyn	McDermott	Torbert	
Childs	Harris	Morrow	Turner	
Clark	Hawkins	Nabors	Vacca	
Cooper	Jackson	O'Bannon		—30

Nays: —0

And said Bill, S. B. 176, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Oden	
Adams	Engel	Lindsey	Radney	
Albea	Folsom	Lolley	Skidmore	
Branyon	Givhan	McCarley	Stone	
Carr	Goodwyn	McDermott	Torbert	
Childs	Harris	Morrow	Turner	
Clark	Hawkins	Nabors	Vacca	
Cooper	Jackson	O'Bannon		—30

Nays: —0

The Bill:

S. 115. To provide for participation by the State of Alabama in the National Guard Mutual Assistance Compact, and to enact the terms and provisions thereof as the law of this State.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 30; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Oden	
Adams	Folsom	Lindsey	Radney	
Albea	Gilmore	Lolley	Skidmore	
Branyon	Givhan	McCarley	Stone	
Childs	Goodwyn	McDermott	Torbert	
Clark	Harris	Morrow	Turner	
Cooper	Hawkins	Nabors	Vacca	
Dominick	Jackson	O'Bannon		—30

Nays: —0

ADJOURNMENT

At 5:45 P.M., on motion of Mr. McCarley, the Senate adjourned until Thursday, June 19, 1969, at 11 o'clock A.M.

THIRTEENTH LEGISLATIVE DAY

THURSDAY, JUNE 19, 1969

The Senate met pursuant to adjournment, President Pro Tempore Goodwyn presiding.

PRAYER

The Session was opened with prayer by the Reverend Tommy Sinclair, Pastor, Cloverdale Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Engel	Leonard	Oden
Adams	Folsom	Lindsey	Pelham
Albea	Giles	Lolley	Pierce
Bailes	Gilmore	McCarley	Skidmore
Branyon	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca
Dominick	Jackson		

—33

JOURNAL

On motion of Mr. Lindsey, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twelfth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Twelfth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Carr and Radney for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Skidmore, Leonard, McCarley, Goodwyn, O'Bannon, Folsom, Harris, Givhan, Lindsey, Giles, Torbert and Clark:

S. 515. To amend Code of Alabama 1940, Title 15, Section 277, so as to eliminate the necessity of impaneling a jury in certain criminal cases when the defendant, upon arraignment or prior to trial, pleads guilty.

Committee on Judiciary.

By Messrs. Skidmore, Leondard, McCarley, Goodwyn, O'Bannon, Folsom, Givhan, Harris, Lindsey, Giles, Torbert and Clark:

S. 516. To further amend Section 1 of Act No. 936, H. 652, Regular Session of 1951 Acts of the Legislature of Alabama, Page 1605, an Act relating to Supernumerary Circuit Judges, so as to regulate further their compensation while actively performing the duties of a Circuit Judge.

Committee on Judiciary.

By Messrs. Skidmore, Leonard, McCarley, Goodwyn, Folsom, Givhan, Harris, Lindsey, Giles, Torbert and Clark:

S. 517. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an Act providing for appointment and designation of Supernumerary Circuit Judges.

Committee on Judiciary.

By Messrs. Skidmore, Leonard, McCarley, Goodwyn, O'Bannon, Folsom, Givhan, Harris, Lindsey, Giles, Torbert and Clark:

S. 518. To fix the compensation of Circuit Judges in Alabama; and to provide the method of payment and effective date thereof.

Committee on Finance and Taxation.

By Mr. Nabors:

S. 519. To provide that certain school lunchroom managers and assistants to such managers may become members of the Teachers' Retirement System and shall receive all the benefits provided for teachers under the provisions of Code of Alabama 1940, Title 52, Chapter 14; to place the duty of collecting the employees' contributions to the Teachers' Retirement System on the county or city board of education employing such school lunchroom managers and assistants to such managers and also the duty of remitting to the secretary-treasurer of the retirement system both the employer's and the employees' contributions to the system; to provide for the payment of the employer's liability on account of matching contributions and providing for prior service of such school lunchroom managers and assistants to such managers out of funds in the Alabama Special Educational Trust Fund which have been appropriated therefor to the state department of education and distributed by such department to the several county and city boards of education employing lunchroom managers and assistants to such managers; and to make an appropriation to carry out the provisions of this Act.

Committee on Corporations.

By Messrs. Torbert, Vacca, Nabors and Hawkins:

S. 520. To provide for the control of air pollution within the State of Alabama; to create and establish an Air Pollution Control Commission; to prescribe the jurisdiction, powers, duties and functions of the Air Pollution Control Commission; to provide for an executive director of the Commission; to provide for the enforcement of the Act and orders, rules and regulations adopted by the Air Pollution Control Commission; prescribing penalties and making appropriations.

Committee on Finance and Taxation.

By Mr. Torbert:

S. 521. To amend Section 402 of Title 51 of the Code of Alabama of 1940, as heretofore amended, to provide for the allowance of a deduction, for Alabama corporate income tax purposes, for all amounts invested in devices, parts of devices, systems or facilities used or placed in operation in the State of Alabama, or to be used or placed in operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, to provide for, in lieu of such deduction, the amortization of all such amounts over such period (not exceeding the useful life of the devices, parts, systems or facilities for which such amounts were expended) as shall be specified in the tax return respecting the taxable year during which such amounts were expended and for appropriate deductions of the amounts so amortized, to provide that the taking of any such deductions shall be optional with the taxpayer, to provide that any such deduction, if taken, shall be in lieu of any other allowance for depreciation or obsolescence with respect to such devices, parts, systems or facilities, and to provide that none of such deductions shall be subject to any apportionment or allocation otherwise required and that all thereof shall be allowed in full.

Committee on Finance and Taxation.

By Mr. Torbert:

S. 522. To amend Section 2 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt from ad valorem taxation all devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Committee on Finance and Taxation.

By Mr. Torbert:

S. 523. To amend Section 348 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, for purposes of computing the franchise tax on foreign corporations, of all amounts invested in all devices, identifiable parts of devices, systems and facilities used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Committee on Finance and Taxation.

By Mr. Torbert:

S. 524. To amend Section 33 of Act No. 100 enacted at the 1959 Second Special Session of the Legislature of Alabama, as heretofore amended, so as to exempt from the provisions of said Act, and from the computation of the amount of sales tax levied, assessed or payable thereunder, the gross proceeds from the sale of all devices, identifiable parts of devices, systems or facilities used or placed in operation in the State of Alabama, or intended for use or operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the gross proceeds from the sale of all materials used in the State of Alabama, or intended for use in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Committee on Finance and Taxation.

By Mr. Torbert:

S. 525. To amend Section 25 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, from the assessed value of the shares of any Alabama corporation for the purpose of taxation of such shares, of the assessed value of all devices, identifiable parts of devices, systems and facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Committee on Finance and Taxation.

By Mr. Torbert:

S. 526. To amend Section 789 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt, from the state use tax, the storage, use or consumption of any devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the storage, use or consumption of any materials used primarily for the protection of the public and the public interest through the control, reduction or elimination of air and water pollution.

Committee on Finance and Taxation.

By Mr. Cooper:

S. 527. To establish a board of inquiry and to prescribe its rights, powers and responsibilities; to provide the procedure to obtain legal authorization for the medical sterilization of mentally retarded persons; to prohibit sterilization of persons who are mentally retarded and persons who may reasonably be thought to be mentally retarded, except in accordance with the procedures set forth in this Act; and to relieve physicians, surgeons and their assistants performing medical sterilization authorized by this Act from all legal responsibility except for malpractice.

Committee on Public Health.

By Mr. Turner:

S. 528. To amend Act No. 551, H. 321, Regular Session 1967 (Acts 1967, Vol. II, p. 1300), an act to establish the Alabama Council on the Arts to change the name of said Council to the Alabama State Council on the Arts and Humanities and to exempt certain employees of the Council from the provisions of the state merit system and to provide for the duties and powers of such Council.

Committee on Public Buildings and Grounds.

By Messrs. Pierce and Goodwyn:

S. 529. To provide that any Municipal Corporation may, by proper ordinance, and any county governing body may by proper resolution, regulate the hours of sale of alcoholic beverages or malt and brewed beverages.

Committee on Public Buildings and Grounds.

By Mr. Goodwyn:

S. 530. To create a State Land Survey Authority; to provide for its membership; to provide for the travel and other expenses of the members of

the Authority; to provide for a chairman for the Authority and to provide time for meetings of the Authority; to provide for the functions and duties of the Authority; to provide for a Chief State Land Surveyor and to provide for the acquisition by the Authority of lands or interest therein; to provide for public land survey corners and to make it a misdemeanor to destroy same; to provide for extension of a triangulation and levelling net of precision; to authorize the State Attorney General to represent the Authority; to provide for a location of the headquarters of the Authority; to give certain personnel of the Authority the right to enter upon private property for certain purposes and to provide for payment for any damages that might be incurred while on said property, and to provide that said personnel shall be immune from arrests for trespassing in performing their legal duty on said property; to provide for the furnishing of certain information to the Authority or the Chief Land Surveyor by certain public officials; to provide for the furnishing of records to other public agencies and to provide for the admission for certain records of the Authority in court proceedings; to provide that certain employees be registered land surveyors and providing that no employee of the Authority shall engage in private land surveying or consultation; to grant the Authority the right to produce and sell maps and other data and providing for the deposit of such funds; to grant to the Authority power to enter into contracts; to provide for a fee to be paid for filing or recording any instrument conveying real estate or any interest therein and for such fee to be forwarded to the State Treasurer and to provide for the disposition of such funds by the State Treasurer, and further providing that all funds paid out by the Treasurer shall be budgeted and allotted; and further providing that any funds in the State Land Survey Fund in excess of one hundred thousand dollars ($100,000.00) at the end of any state fiscal year shall be transferred into the General Fund of the State.

Committee on Judiciary.

By Mr. Leonard:

S. 531. An Act to amend Section 1 of Act No. 126, House Bill No. 158 of the First Special Session of the 1964 Legislature to provide for the appointment and tenure and number, and fixing the compensation of bailiffs for circuit courts of Alabama in circuits composed of only one county which has a population of not less than 65,000 nor more than 95,000, according to the most recent Federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Leonard:

S. 532. An Act to amend Section 2 of Act No. 40, Senate Bill No. 38 of the Special Session of the 1966 Legislature relating to counties having populations of not less than 65,000 nor more than 95,000; providing further for the operation of the offices of district attorneys in such counties.

Committee on Local Legislation No. 1.

By Messrs. Leonard and McCarley:

S. 533. To make an appropriation to the Alabama Institute for Deaf and Blind for Capital Outlay purposes.

Committee on Finance and Taxation.

By Mr. Clark:

S. 534. To provide that shares of stock in small business investment companies organized and existing under the laws of this state and holding a license issued pursuant to the Small Business Investment Act of 1958 of the United States Congress, as amended, shall be eligible for purchase by banks organized and existing under the laws of this state and providing certain restrictions upon the aggregate amount of any such shares held by such bank or upon any class of equity securities having voting rights held by such bank and issued by a small business investment company.

Committee on Banking.

By Mr. Jackson:

S. 535. To provide further for the compensation of the county solicitor or deputy district attorney in all counties having populations of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census.

Committee on Local Legislation No. 1.

By Messrs. Morrow, Turner, Goodwyn, Skidmore and Torbert:

S. 536. To further amend Section 1 of Act No. 936, H. 652, Regular Session of 1951 Acts of the Legislature of Alabama, Page 1605, an Act relating to Supernumerary Circuit Judges, so as to regulate further their compensation while actively performing the duties of a Circuit Judge.

Committee on Judiciary.

By Mr. Adams:

S. 537. To create and establish a Court of record with county wide limited jurisdiction of criminal cases and civil actions at law and in equity, to be called the Houston County Court; in lieu of, and to replace the Law and Equity Court of Houston County; to abolish the Law and Equity Court of Houston County; to provide for the jurisdiction of said Houston County Court and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished Court to the newly established Court, and to repeal Act No. 210, H. 479, Regular Session of the Legislature of Alabama of 1965 at Page 269, as amended, and all conflicting laws.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
HOUSTON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the 1969 Regular Session of the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To create and establish an inferior court of record of law and equity in Houston County, Alabama; to define its jurisdiction; to provide for its officers, their appointment, election, terms of office, powers, duties,

authority and compensation; to provide the rules and procedures of said Court; to provide for the distribution of fines and forfeitures in certain cases; to provide for the transfer of certain causes now or hereafter pending in the Law and Equity Court of Houston County, Alabama and to abolish the Law and Equity Court of Houston County, Alabama, repealing Act No. 210, H. 479, Regular Session 1965, as amended, and all conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established in Houston County a court with limited jurisdiction of criminal cases and civil action at law and in equity which court shall make final records in all cases except cases cognizable before justices of the peace. The Court shall be known as the Houston County Court and it shall replace the Law and Equity Court of Houston County established by Act No. 210, H. 479, Regular Session 1965, which court is hereby abolished.

Section 2. All cases and actions pending in the Law and Equity Court of Houston County on the effective date of this Act shall be transferred in the Court hereby created and shall proceed as though begun therein. As to judgments rendered by the abolished court (and judgments it had the power to control), the Houston County Court shall have the same power to control, and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

Section 3. (a) Except as provided in subsection (b), of this subsection, the Houston County Court shall have and exercise jurisdiction in all actions, causes, matters, proceedings, and cases, including actions of unlawful detainer, actions for the recovery of possession of land, cases of desertion, and non-support instituted by virtue of Article 3, Chapter 4, Title 34, Code of Alabama (1940), and cases involving juveniles arising under the provisions of Chapter 7, Title 13, Code of Alabama (1940), which are cognizable before the circuit court, or a county court, or the juvenile court, or justices of the peace, or courts created in lieu thereof, and all courts of like jurisdictions. It shall have authority to exercise general superintendence of justice courts, and to punish contempts by fine not exceeding fifty dollars ($50) and imprisonment not exceeding five days. It may adopt and enforce rules and regulations relative to pleadings, procedure and practice, provided such rules and regulations are not contrary to the constitution and statutes of the State and law-made rules governing the practice and procedure of courts of record.

(b) The Court shall not have power to try persons charged with felonies. ($2,000.00), nor take cognizance of any civil action when the matter or sum in controversy exceeds two thousand dollars ($2,000.00), not take cognizance of any matter or proceeding in equity, except suits for divorce or separate maintenance and cases involving domestic relations or the custody of children.

Section 4. The court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury.

Section 5. The Houston County Court shall have four divisions, namely, law, equity, criminal and juvenile. Except as otherwise provided in this Act, the practice and procedure of the court as to parties, trial, competence of witnesses, admissibility of evidence, regulation of suits and the time within which suits may be brought shall be governed by the statutes and rules of practice and procedure governing the circuit courts Interrogatories to adverse parties, as provided for by Article 8, Chapter 10, Title 7, Code of Alabama (1940), may be used, except that

answers must be filed to such interrogatories within thirty (30) days after service of the interrogatories. If answers to the interrogatories are not filed the answers are not full, or are evasive, the court may either attach the party and cause him to answer fully in open court, or tax him with so much costs as may be just, and continue the cause until full answers are made, or direct a non-suit or judgment by default, to be entered, or render such judgment or decree as would be appropriate if such defaulting party offered no evidence.

(b) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process has been executed on the defendant, or service perfected on him as required by law, defendant shall appear and plead, answer or demur thereto within twenty days. In suits in equity the defendant shall have thirty days after the perfection of service on him in which to plead, answer or demur. If a defendant fails to plead, answer or demur within the prescribed time after service has been perfected on him, he shall be in default and on motion of the plaintiff judgment by default may be rendered against such defendant.

Section 6. (a) No prosecution shall be commenced in such court except upon sworn complaint made to either the judge or the Clerk of the court, or the deputy clerks of the court, or the assistant District Attorneys for Houston County), who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty. When the accused is arrested, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

(b) A county or assistant District Attorney (for Houston County) shall prosecute for the State all criminal cases commenced in such court. The assistant District Attorneys shall be paid a salary, the amount to be determined by the District Attorney, which salary shall not exceed $200.00 for each month for the aggregate of all assistant District Attorneys. This sum shall be in addition to all sums now being paid assistant District Attorneys.

Section 7. (a) The Houston County Court shall be open at all times for the transaction of business. Sessions of the Court shall be held at the county courthouse at such times as the judge shall designate by orders spread upon the minutes of the court. At least one civil session and one criminal session shall be held each month. Sessions may be continued so long as may be necessary for the court to complete its business.

(b) The Sheriff shall, without additional compensation, attend the sessions of the court in person or by deputy. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the circuit court.

(c) The judge shall appoint a bailiff when he deems one necessary and the bailiff shall be compensated at the same rate as a Circuit Court bailiff.

(d) The judge shall have the same power and right to appoint an attorney to represent indigent defendants as judges of circuit courts.

Section 8. (a) For their attendance upon the sessions of the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the circuit courts, which fees and allowances shall be

taxed, collected, and paid in the same manner and according to the same regulations as apply in the circuit courts.

(b) In addition to the fees for witnesses, the court shall have authority to tax costs for the use of the county as follows: (1) in each civil action at law, if the sum in controversy does not exceed one hundred dollars ($100), the same as in justice courts; (2) in every other civil action at law, the same as in the circuit court; (3) in each equity case, the same as in the circuit court; (4) in each criminal case involving an offense of which justices of the peace have final jurisdiction, the same as in the justice courts; (5) in every other criminal case, the same as in county courts. The court shall tax other costs as prescribed by law (both general and local acts).

(c) A trial tax of one dollar ($1.00) shall be collected for the use of the county in each civil action at law, if the sum in controversy does not exceed one hundred ($100). In every other civil action at law, in every suit in equity, and in every criminal case except criminal cases involving offenses of which justices of the peace have final jurisdiction, a trial tax of three dollars ($3.00) shall be collected for the use of the county.

(d) No costs shall be taxed in juvenile cases.

(e) In addition to the fines and forfeitures now provided by law to be paid into the general fund of Houston County, Alabama, one-half (50%) of all other fines and forfeitures collected in this court are to be paid into the general fund of Houston County, Alabama.

Section 9. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11, Title 7, Code of Alabama (1940), except that if the judgment of the court is for fifty dollars ($50) or less the party in whose favor the judgment is rendered shall have a period of only three years in which to have a writ of fieri facias or execution levied against the property of the defendant, and the lien of such judgment registered under the provisions hereof shall continue for a period of three years from the date of such judgment in the manner set out in Section 588 of said Title 7; and if judgment is for more than fifty dollars ($50), the lien of such judgment when registered under the provisions hereof shall continue for a period of ten years from the date of such judgment in the manner set out in Section 585 of said Title 7.

The discovery of assets of judgment debtors as provided by Article 2, Chapter 21, Title 7, Code of Alabama (1940) may be had in this court as in circuit courts.

Section 10. Any party aggrieved by a judgment, order, or ruling of the court may appeal the decision as herein provided.

(1) If the case is a civil case in the law division of the court, the appeal lies to the circuit court and shall be governed by Article 6 of Chapter 8, Title 13 of the 1940 Code, or to the Court of Appepals and shall be governed by Article 1 of Chapter 3, Title 13 of the 1940 Code.

(2) If the case is in equity, the appeal lies directly to the Supreme Court of Alabama and shall be governed by the provisions of Chapter 16, Title 7 of the 1940 Code.

(3) If the case arises under the court's jurisdiction with respect to juveniles, the appeal lies to the circuit court and shall be governed by Sections 371 and 372 of Title 13 of the 1940 Code.

(4) In every criminal case, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the 1940 Code, or to the Court of Appeals and shall be governed by Section 90 of Title 13 of the 1940 Code.

Section 11. (a) A Judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1970, and every six years thereafter. His term shall be for six years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

(b) Immediately after the effective date of this Act, the Governor shall commission Hon. Don P. Bennett as Judge of the Houston County Court and the said Don P. Bennett shall hold office until his successor is elected or apointed as provided herein.

(c) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner provided by law. No person shall be eligible for the office of Judge unless he is, at the time of his appointment or election, a qualified elector of Houston County, learned in the law, and has been licensed to practice law in this State for five years. The judge shall not practice law in any of the courts of this State or of the United States, and he shall be subject to the same penalties and obligations as circuit judges. Any vacancy occurring in the office of judge shall be filled by appointment as provided in Section 158 of the Constitution.

(d) The judge shall receive an annual salary equal to an amount of $500.00 less than the base annual salary of circuit judges (as set by statute) payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid.

(e) The judge shall have authority to: (1) grant writs of certiorari, supersedeas, quo warranto, mandamus, and all other remedial and original writs which are granted by the circuit judges; (2) grant writs of injunction and no exeat; (3) administer oaths and take acknowledgments; (4) issue search warrants; (5) exercise such other powers, jurisdiction, or authority as may now or hereafter be conferred by law upon circuit judges, judges of juvenile and county courts, and justices of the peace. Provided, however, the judge shall not have or exercise the powers, jurisdiction, or authority of equity courts except in suits for divorce or separate maintenance and casesinvolving domestic relations or the custody of children.

(f) The judge shall keep an office in the county courthouse, or such other place as may be provided by the governing body of the county. His office shall be suitable equipped, furnished and provided at the expense of the county with such office supplies and stationery, stamps, furniture, fixtures and other materials as may be necessary for the transaction of the business of the court.

(g) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code. Such special judge shall be paid out of the general funds of the county the sum of fifty dollars ($50.00) for each day he is called upon to serve during a regular session held pursuant to orders of the court duly spread upon the minutes of the court.

Section 12. (a) The circuit clerk of Houston County and the register of the circuit court shall be the clerk and register, respectively,

of the court herein established; and the clerk may appoint a chief deputy clerk which shall be in addition to the chief deputy clerk of the circuit (and not the same person) who shall have all the power and authority that is herein given to the clerk. The judge shall appoint a clerk of the juvenile division who shall also act as a secretary to the judge. In addition to all bonds required of them, the clerk shall make bond in the sum of $10,000; the register $2,000.00, and the clerk of the juvenile division $2,000.00. The clerk of the juvenile division shall be paid a monthly salary of not less than $300.00 per month nor more than $500.00 and shall start at $300.00 per month and may be raised by the judge of the court as he deems it expedient. In addition to their regular compensation, the clerk and register each shall receive for such services the sum of $2,400.00 annually, which sum shall be payable in equal monthly installments. All salaries referred to in this Section 12 (a) shall be paid from the general fund of the county. Each shall have authority to purchase at county expense such records, stationery, office supplies, and equipment as may be necessary to conduct the court's business. Each shall keep a seal, which shall be the official seal adopted by the court.

(b) It shall be the duty of the clerk, register and clerk of the juvenile division, respectively, to keep all the records, files, and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk, register, and clerk of the juvenile division, respectively, shall have power and authority: (1) to administer oaths and take acknowledgments and affidavits; (2) to sign and issue all processes issuing out of the court, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments, and releases; (3) to approve bands in civil and criminal cases; (4) to enter all judgments, orders, and decrees of the court; (5) to certify all appeals and transcripts; (6) to exercise all powers and authority which are now or may hereafter conferred on clerks and registers of the circuit courts.

(d) The judge shall secure the services of a competent reporter to attend the sessions of the court and report all cases tried when request therefore is made by any party to a suit. He shall serve at the will and pleasure of the judge. The reporter shall receive an amount equal to the amount paid reporters in Circuit Courts for each day that he is called upon to serve, to be paid out of the general fund of the county, and in addition, he shall receive for his own use from the parties to suits, when they request such, for making a transcript of evidence taken by such reporter the same amount that he would be entitled to as a reporter in circuit court. He shall be required to keep his notes and records for public use and inspection. In all cases reported by the reporter there shall be taxed as part of the costs of the case a fee equal to a circuit court reporter's fee for each day or fraction thereof that such reporter shall be engaged in reporting the case, to be collected as costs as in other cases, and when collected paid into the county treasury of Houston County, Alabama.

Section 13. Act No. 210, H. 479, Regular Session of 1965 (Acts of Alabama 1965, Vol. 1 p. 289) and all acts amendatory thereof, and all other laws or parts of laws in conflict with this Act are hereby repealed.

Section 14. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 15. This Act shall take effect on the first of the month next following the date of its enactment.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, May 2, 9, 16, 23, 1969 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 26th day of May, 1969.

EUGENE McCLINTIC,
Notary Public.

By Mr. Harris:

S. 538. Relating to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, providing further for the expense allowances of the members of the county governing body.

Committee on Local Legislation No. 1.

By Mr. Harris:

S. 539. Relating to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, providing further for the expense allowances of the chairman of the county governing body.

Committee on Local Legislation No. 1.

By Messrs. Goodwyn, Vacca, Lindsey, Leonard, Branyon and Folsom:

S. 540. To amend Sections 15, 16 and 19 of Act No. 351, General Acts of Alabama 1947, page 234; to provide for the Legislative Committee on Public Accounts as a supervisory agency of the department; to provide for special meetings of the Legislative Committee on Public Accounts and regular meetings and compensation and expenses for attendance at meetings, and to provide for settlement of charges made by the department and certification of reports of such charges to the Attorney General or Governor of the State of Alabama.

Committee on Judiciary.

By Messrs. Goodwyn, Vacca, Lindsey, Leonard, Branyon and Folsom:

S. 541. To fix the salary of the Chief Examiner and the Assistant Chief Examiner.

Committee on Judiciary.

By Messrs. Goodwyn, Vacca, Lindsey, Leonard, Branyon and Folsom:

S. 542. To provide for assistant legal counsels for the Chief Examiner and Department of Examiners of Public Accounts and to make an appropriation to carry out the provisions of this act.

Committee on Judiciary.

By Messrs. Goodwyn, Vacca, Lindsey, Leonard, Branyon and Folsom:

S. 543. To amend Title 61, Section 211, Code of Alabama 1940, to allow the Chief Examiner of Public Accounts of the State of Alabama to file notice with the Judge of Probate of an impending examination affecting the estate of a decedent and hold the estate open for an additional period of six months.

Committee on Judiciary.

By Mr. Harris:

S. 544. To fix expense allowances of courts of county commissioners, boards of revenue or like governing bodies of all counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, with retroactive effect.

Committee on Local Legislation No. 1.

By Mr. Harris:

S. 545. To amend the "Alabama Water Management Act", Act No. 685, S. 364, of the Regular Session of 1965, (Acts of Alabama of 1965, Regular Sess., Vol. II, p. 1246), "An Act to provide for the establishment of works of improvement for the drainage of wet, swamp, and overflowed lands of the State, and for flood prevention or the conservation, development, utilization and disposal of water within the State"; etc., by amending Sections 5, 9 and 10 of said Act which relate to the organization of water management districts.

Committee on Agriculture.

By Mr. McCarley:

S. 546. Relating to usury; amending Code of Alabama 1940, Title 9, Sections 60 and 66 so as to raise the legal rate of interest which may be charged and collected on a loan by written contract and to provide that a banker who discounts a note, bill of exchange or draft at such increased rate will not forfeit the right to collect interest.

Committee on Banking.

By Mr. Givhan:

S. 547. Relating to all counties having populations of not less than 55,000 nor more than 60,000 according to the most recent federal decennial census; authorizing the employment of a deputy clerk for the jury commission and providing for his duties, tenure and compensation.

Committee on Local Legislation No. 1.

By Mr. Giles:

S. 548. To provide for the control of air pollution within the State of Alabama; to create and establish the Alabama Air Pollution Control Commission; to authorize the creation of county and municipal air pollution control commissions; to prescribe the jurisdiction, powers, and duties and functions of the Alabama Air Pollution Control Commission and of any county or municipal commissions created under the provisions of this act; to provide for the enforcement of the act and of the orders, rules, and regulations of commissions created under the provision of this act; to prescribe penalties

and remedies for the violation of this act or for the violation of the rules, regulations, and orders of any air pollution control agency within the State; and to authorize appropriations and expenditures by state, county, and municipal authorities in furtherance of the objectives of this act.

Committee on Finance and Taxation.

By Mr. Skidmore:

S. 549. Defining, regulating, and providing for the licensing of employment agencies; providing for the revocation and suspension of licenses subject to appeal; requiring the Department of Labor and the director thereof to enforce and administer this Act and defining the powers and duties of such department and director relative thereto; prescribing penalties; and repealing conflicting laws.

Committee on Immigration, Industrial Resources and Labor.

By Mr. McDermott:

S. 550. To amend further Code of Alabama 1940, Title 8, Section 86, as amended, to increase penalties for violations or provisions of said section which prohibit hunting game at night.

Committee on Forestry and Conservation.

By Mr. McDermott:

S. 551. To authorize circuit court judges to subscribe to certain legal periodicals and to provide for payment thereof.

Committee on Finance and Taxation.

By Mr. McDermott:

S. 552. To amend Code of Alabama Title 55, Section 200, making further provisions respecting distribution of copies of the journals of the house and senate.

Committee on Public Buildings and Grounds.

By Mr. McDermott:

S. 553. To regulate further judgments in actions and proceedings to enforce payment of alimony awarded pursuant to duly rendered decrees providing for continuous maintenance through payment of alimony in periodic installments, limiting the period of arrearage for which judgments may be rendered.

Committee on Judiciary.

By Mr. McDermott:

S. 554. To amend further Section 5 of an Act entitled an Act "To provide for appointment of official court reporters of the circuit courts of those circuits which are now, or which may hereafter be, composed of only one county and having not less than six nor more than twelve circuit judges; to provide for their qualifications, to fix their compensation, to define their duties and provide for the appointment of special reporters in such cases; and to repeal all laws which may be in conflict herewith", approved April 8, 1955.

Committee on Local Legislation No. 1.

By Mr. McDermott:

S. 555. To amend further Sections 2 and 9 of Act No. 424, H. 351, Regular Session 1949 (Acts of Alabama 1949, p. 601), as amended which act provides for absentee voting in primary, general, special and municipal elections, so as to provide further for spouses of students and military personnel to vote in such elections.

Committee on Privileges and Elections.

By Mr. McDermott:

S. 556. Relating to counties having populations of not less than 300,000 nor more than 500,000; prohibiting the killing of unantlered male deer.

Committee on Local Legislation No. 1.

By Mr. Harris:

S. 557. To amend further Section 706, Title 51, Code of Alabama (1940), as amended, by providing further for the transfer of ownership of motor vehicle license tags.

Committee on Public Roads and Highways.

By Mr. Harris:

S. 558. To make further provisions regarding the licensing of trucks and truck-tractors to allow proper credit and the quarterly declining basis under stated circumstances where a higher license than that previously issued is required for any fiscal or license year by change in gross vehicle weight allowance or in the use of the vehicle, to provide penalties for improper licensing, and to repeal all laws or parts of laws in conflict herewith.

Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Smith, Bolton, Collins (C) and Beck:

H. 559. Relating to schools; authorizing the Alabama Institute for Deaf and Blind to provide education for nonresidents of the state, the expense of such education to be borne by such persons.

Also:

By Messrs. Smith, Bolton, Collins (C) and Beck:

H. 560. To amend Act No. 542, H. B. 304, Regular Session 1955, an act relating to the blind and visually handicapped (Acts 1955, v. 2, p. 1197).

Also:

By Messrs. Smith, Bolton, Collins (C) and Beck:

H. 561. To amend Act No. 543, H. 303, Regular Session 1955, an act authorizing and providing for the operation of stands in buildings and on properties of the State of Alabama, its agencies, institutions, and political subdivisions by blind persons (Acts 1955, v. 2, p. 1200).

Also:

By Mr. House:

H. 635. To amend further Section 2 of Act No. 217, S. 23 of the 1967 Special Session of the Legislature of Alabama (Acts, 1967, p. 259), so as to exempt from the provisions of said act contracts relating to medical clinics boards.

Also:

By Messrs. Pennington, Foshee, Jackson (F), Turnham, Steagall, Meade, Grainger, Crawford, Headley, Owen (Baldwin), Brannan, Brassell, Snell, Higginbotham, Harper, Holladay, Hain, Laxson, Williams, McLain, Kilgore, Weeks, Pruitt, Fite, Manley, Dill, Sessions, Yeilding, Drake, Cook (Coffee), Garrett, Mays, Owens (W), Paulk and Stembridge:

H. 514. To provide for organizing industrial development corporations; provide for definitions; provide the purpose of such corporations; provide that such corporations may be organized under the general laws of Alabama, subject to certain limitations; provide that such corporations may borrow money from members and issue securities and evidences of indebtedness and secure same; provide said corporations may make loans, may acquire the good will, business and assets of persons, firms, and corporations and may acquire real estate and use the same for the purposes of the corporation; provide that corporations organized under the laws of Alabama or transacting business in Alabama are authorized to purchase, hold, and dispose of the securities of industrial development corporations; provide that financial institutions are authorized to become members and make loans to such corporations, subject to certain limitations; provide that financial institutions are authorized to acquire the securities and stock of such corporations; provide such corporations shall set aside a portion of earned surplus from year to year as a reserve fund; provide for selecting depositories for funds of such corporations; provide such corporations shall be subject to examination by a certified public accountant and shall file reports with the Secretary of State; provide for the management of such corporations by a board of directors, a president and officers; provide for the dissolution of such corporations; provide that such corporations shall be state development companies as defined in the Small Business Act, of 1958; provide for the payment of annual occupational license tax; provide an effective date.

Also:

By Messrs. Springer, Cook (Coffee), Cook (Jefferson), Sessions, Waggoner, Crane, Dill and Yeilding:

H. 408. To amend Sections 1, 2, 3, and 4 of Act No. 591, H. 140, Page 828, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

Also:

By Messrs. Springer, Cook (Coffee), Cook (Jefferson), Sessions, Waggoner, Crane, Dill and Yeilding:

H. 409. To amend Sections 1, 2, 3 and 4 of Act No. 590, H. 138, Page 827, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

Also:

By Messrs. Springer, Merrill, Lybrand, Cook (Coffee), Cook (Jefferson), Sessions, Waggoner, Crane, Dill and Yeilding:

H. 410. To provide a state scholarship program to promote the education of nurses at the Lurleen B. Wallace School of Nursing, Jacksonville State University; and making an appropriation therefor.

Also:

By Messrs. Springer, Cook (Coffee), Cook (Jefferson), Sessions, Waggoner, Crane, Dill and Yeilding:

H. 411. To provide a state scholarship program to promote the education of nurses in the junior colleges of Alabama operated under the jurisdiction of the State Board of Education; and making an appropriation therefor.

Also:

By Messrs. Springer, Cook (Coffee), Cook (Jefferson), Sessions, Waggoner, Crane, Dill and Yeilding:

H. 412. To authorize and direct the Board of Nursing created under Act 867, S. 210, Regular Session 1965 (Acts 1965, P. 1615), to contract for and to provide technical assistance and consultant services to the State Board of Education for certain junior colleges engaged in, or to become engaged in, teaching and training professional nurses, establishing procedures for providing such assistance, and making appropriations therefor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 559, 560 and 561. To the Committee on Counties and County Boundaries.

H. B.'s 635 and 514. To the Committee on Judiciary.

H. B.'s 408, 409, 410, 411 and 412. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Burgreen:

H. 681. Relating to the Board of Revenue of Limestone County; temporarily increasing the expense allowances for members of said board; fixing the salaries of the members, and reducing expense allowances effective with the new salaries.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the Board of Revenue of Limestone County; temporarily increasing the expense allowances for members of said board; fixing the salaries of the members, and reducing expense allowances effective with the new salaries.

Be It Enacted by the Legislature of Alabama:

Section 1. The chairman of the Board of Revenue of Limestone County shall be entitled to receive an additional expense allowance of $200.00 per month. The associate members of the Board of Revenue of said county shall be entitled to receive an additional expense allowance of $100.00 per month. The above expense allowances shall be paid out of the general funds of the county beginning with the first month following the effective date of this act. It is also provided that the above expense allowances be in addition to any other compensation now received by the chairman or the members of the Board of Revenue, and further provided that the chairman and board members shall be reimbursed for their actual expenses incurred for travel outside the county on official business.

Section 2. The chairman of the Board of Revenue shall receive a salary of $10,500.00 per annum. The associate members of the Board of Revenue shall receive a salary of $6,700.00 per annum. Salaries as provided above shall be paid in equal monthly installments out of the general funds of the county as prescribed by law, and shall become effective at the expiration of the terms of the incumbent members of the Board of Revenue.

Section 3. Upon the expiration of the terms of the incumbent members of the Board of Revenue, and upon the effective date of the salary increases as provided in Section 2 of this act, the expense allowance for the chairman and the members of the Board of Revenue shall be reduced to $100.00 per month. It is provided however, that the chairman and board members shall still be reimbursed for their actual expenses for travel on official business outside the county.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law; provided, that should there be a statutory or constitutional prohibition preventing any of these public officers from receiving the prescribed compensation as of such date, the provisions of this Act shall become effective as to them immediately following the date on which such prohibition expires.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
LIMESTONE COUNTY

Personally appeared before me, the undersigned authority in and for said county and state, who after being duly sworn, deposes and says:

My name is BAYLIS HIGHTOWER. I am TREASURER of the Athens News Courier, a newspaper of general circulation, published semi-weekly in Athens, Limestone County, Alabama. The copy of publication hereto attached was published in said paper for FOUR (4) consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 29 day of APRIL, 1969, and the last copy of said publication appearing in the said paper on the 20 day of MAY, 1969.

BAYLIS HIGHTOWER.

Sworn and subscribed to before me this 2 day of June, 1969.

LOLA L. ORR,
Notary Public.

My Commission Expires 8-23, 1971.

Also:

By Mr. Burgreen:

H. 682. To create and establish in Limestone County in lieu of the existing court created by Act No. 199, H. 603, Regular Session 1947 (Local Acts 1947, p. 113) and amendments thereto, a court of record with county-wide limited jurisdiction of criminal cases and civil actions at law and equity to be known as the Limestone County Superior Court; to provide for its procedure, costs and fees; to provide for its officers, their duties, power and compensation, and to provide for the transfer of cases.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To create and establish in Limestone County in lieu of the existing court created by Act No. 199, H. 603, Regular Session 1947 (Local Acts 1947, p. 113) and amendments thereto, a court of record with county-wide limited jurisdiction of criminal cases and civil actions at law and equity to be known as the Limestone County Superior Court; to provide for its procedure, costs and fees; to provide for its officers, their duties, power and compensation, and to provide for the transfer of cases.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby established in Limestone County a court of record, which shall have county-wide limited jurisdiction of criminal cases and of civil actions at law and in equity. The court shall be known as, "The Limestone County Superior Court." It shall be in lieu of the court created and established by Act No. 199, H. 603 (Local Acts, 1947, Page 113), as amended, which court is hereby abolished.

Section 2. (a) Except as provided in subsection (c), the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings and cases, civil or criminal, cognizable before the circuit court, or a county court, or justices of the peace, and courts created in lieu thereof, and all courts of like jurisdiction. It shall have concurrent

jurisdiction of juvenile cases. It shall have authority to punish contempts as a circuit court, and may adopt and enforce rules and regulations relative to pleadings, procedure and practice, provided such rules and regulations are not contrary to the constitution and statutes of the State of Alabama and law-made rules governing the practice and procedure of courts of record. (b) The court shall have exclusive appellate jurisdiction in cases appealed from justices of the peace, mayor's or recorder's courts, and all inferior courts of the county. Such appeals shall be had as appeals to the circuit court, unless otherwise herein provided. (c) The court shall not have power to try persons charged with felonies, nor shall it have power to draw, organize or empanel grand juries.

Section 3. (a) A judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1972, and at the general election each four years thereafter. His term shall be for four years from the first Monday after the second Tuesday in January next after his election, and until his successor is elected and qualified. (b) The first judge of the court shall be the person holding office as judge of the court abolished by this act, and he shall hold office until his successor is elected or appointed and assumes office as provided herein. (c) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution of Alabama. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner prescribed by law. No person shall be eligible to the office of judge unless he is at the time of his appointment or election a qualified elector of Limestone County, learned in the law and admitted to the practice of law by the Supreme Court of Alabama, for a period of at least three years prior to such election or appointment, and over the age of twenty-five years. The judge shall not engage in the practice of law during his term of office; and he shall be subject to the same penalties and obligations as circuit judges. Any vacancy occurring in the office of the judge shall be filled by appointment as provided by Section 158 of the Constitution. (d) The judge shall receive an annual salary of $12,000, payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid. (e) The judge shall have authority to: 1) grant writs of habeas corpus, certiorari, supersedeas, quo warranto, mandamus, and all other remedial and original writs which are grantable by the circuit judges; 2) grant writs of injunction and ne exeat; 3) administer oaths and take acknowledgments; 4) exercise such other powers, jurisdiction or authority as may be conferred by law upon circuit judges, judges of juvenile or county courts, and justices of the peace, except as otherwise provided herein. (f) The judge shall keep an office in the county courthouse. His office shall be suitably equipped, furnished and provided, at the expense of the county, with such office supplies and stationery, stamps, furniture, fixtures, telephone and other facilities as may be necessary for the transaction of the business of the court. (g) In the event of the absence of the judge because of illness, vacation or disqualification, a special judge shall be appointed as provided by Section 160 of the Constitution and Code of Alabama 1940, Title 13, Section 124 who shall be paid twenty dollars out of the general fund of the county for each day or fraction thereof that he serves; provided, however, that the county shall not pay for more than thirty days each calendar year for the services of a special judge who serves for the judge during absences due to vacation, or illness, or attendance at professional meetings lasting more than three days; provided further that when the judge recuses himself or attends a professional meeting lasting three days or less such absence shall be allowable in addition to the aforementioned thirty days and shall be paid for out of the general fund of the county.

Section 4. (a) Sessions of the court shall be held at the county court house, and the court shall be open at all times for the transaction of business. Jury sessions must be held at least twice each year and may be held oftener, if in the discretion of the judge it is considered necessary. Non-jury civil, criminal, equity and juvenile cases may be set and heard at any time. (b) The sheriff shall attend the session of the court in person or by deputy. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the circuit court. He shall receive the same fees for executing the processes of the court as provided by law for the executing of the same processes in the circuit court or justice of the peace courts, and they shall be collected in the same manner.

Section 5. (a) Except as otherwise provided in this act, the practice and procedure of the court as to parties, trial, competency of witnesses, admissibility of evidence, regulation of suits, and the time within which suits may be brought or appearances entered shall be governed by the statutes and rules of practice and procedure governing the circuit courts. (b) In all civil cases at law where the amount involved is one hundred dollars or less, or where a justice of the peace would have final jurisdiction, the rules of pleading and the time within which suits may be brought, tried or appearances entered shall be governed by the rules and laws applicable to civil actions before a justice of the peace. (c) Criminal cases of all types shall be set for as speedy and early a hearing as the court or judge thereof may see fit. (d) The court shall have four divisions, namely, law, equity, criminal and juvenile.

Section 6. (a) The judge shall draw petit jurors to try cases in the same manner as they are drawn in circuit court. (b) In all civil cases the judge shall decide all issues of fact without the intervention of a jury, except in civil actions at law where the plaintiff demands a jury trial in writing at the commencement of the suit, or in cases where the defendant demands a jury trial in writing within thirty days after the perfection of service upon him; in cases where the amount involved is one hundred dollars or less or where a justice of the peace would have final jurisdiction, a jury must be demanded not later than the date set for trial if such is less than thirty days after service of process. In civil cases at law brought by appeal or certiorari from judgments of justices of the peace or other inferior courts, a jury trial may be demanded in writing by the appellant within ten days after taking the appeal, or by appellee within ten days after notice of the appeal shall have been perfected. (c) In all misdemeanor cases the judge shall decide issues of fact without the intervention of a jury, except in cases where the defendant files a written demand for a jury trial with the clerk on or before the date originally set for the trial. A continuance on the motion of either side shall not extend the period during which such jury trial may be demanded. (d) No jury shall be allowed in equity cases except where such is provided for in equity cases in the circuit court. (e) In all cases of forcible entry and unlawful detainer brought under Code of Alabama 1940, Title 7, Chapter 26, and in all suits to recover possession of real estate brought under Code of Alabama 1940, Title 31, Chapter 3, the judge shall proceed to try the cause without the intervention of a jury unless the defendant at the time of demanding a jury trial, also executes bond, with sufficient sureties to be approved by the clerk, payable to the plaintiff in the sum of twice the yearly value of the reasonable rent of the premises, to be ascertained by the judge, with condition to pay the plaintiff all such rent and damages he may sustain by reason of the delay caused by the demand for a jury trial.

Section 7. (a) In all matters, causes and proceedings in which justices of the peace would have final jurisdiction, the costs and fees taxable shall be the same as are allowed in justice of the peace courts.

The usual solicitor's fees provided in cases in circuit courts shall be taxed as a part of the costs in all criminal cases, except in a criminal case where a justice of the peace would have final jurisdiction in which no solicitor's fees shall be charged. Witnesses shall be allowed one dollar per diem in all cases. Witnesses shall not be entitled to mileage in any case. No trial tax shall be charged in any case. In all other cases, the usual costs, fees and commissions shall be taxed as in circuit court, unless otherwise provided herein. The public law library fee imposed by law on the Limestone County Court shall apply in the same manner and to the same extent to the court hereby created. (b) Officers who are paid a salary by the state or any political subdivision thereof shall not be entitled to witness fees for attending the court. (c) In each case reported by the reporter, there shall be taxed as a part of the costs the sum of five dollars. (d) All fines and forfeitures, except those required by law to be paid or remitted to the state treasurer, or other state officer or department, all solicitor's fees, all court reporter's fees and all clerk's fees and all register's fees shall be deposited by the clerk in the general fund of the county. The clerk shall retain the fees of the sheriff and witnesses and shall pay them to the parties entitled thereto. All other items of costs shall be deposited in the general fund of the county, unless otherwise provided by state law. (e) No costs shall be taxed in juvenile cases. (f) If the defendant is acquitted or if the case is nol prossed or is abated by the death of the defendant, or if the indictment, complaint or affidavit is withdrawn and filed, no clerk's fees or sheriff's fees shall be charged; witness fees, however, in the amounts hereinbefore set forth shall accrue against the county fine and forefeiture fund for the state's witnesses within a reasonable number as determined by the judge.

Section 8. (a) No prosecution shall be commenced in the court except by transfer from the circuit court of Limestone County or upon sworn complaint made to either the judge, clerk or solicitor of the court, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty. When the accused is arrested, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictment. The clerk shall keep a docket of all complaints made or warrants issued. If the original complaint or warrant is lost, mislaid or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused. (b) An amendment of the sworn complaint or affidavit without the defendant's consent shall entitle the defendant to a continuance. (c) The county solicitor or equivalent official of Limestone County shall prosecute for the state all criminal cases commenced in the court and shall prepare any and all complaints, affidavits or other pleadings in which the state is a party. In the event the county solicitor or equivalent officer is absent or disqualified, the judge shall appoint a special prosecutor, who shall be paid fifteen dollars for each day or fraction thereof that he is engaged in the duties imposed upon him under this act, payable out of the general fund of the county.

Section 9. Any party aggrieved by a final judgment, order or ruling of the court may appeal to the Court of Appeals or Supreme Court in the same manner and within the same time as appeals may be taken in the circuit court.

Section 10. The party in whose favor a judgment is rendered shall have all the rights, remedies and privileges with respect to the registration and enforcement thereof as provided in Code of Alabama 1940, Title 7, Chapter 11.

Section 11. (a) The circuit clerk of Limestone County and the register of the circuit court shall be the clerk and register, respectively, of the court herein established. The clerk shall receive the same fees in

civil cases where the amount involved exceeds one hundred dollars as are allowed in circuit courts, and in cases where the amount involved is one hundred dollars or less, the same fees as are allowed justices of the peace for like services. In criminal cases where a justice of the peace would have final jurisdiction, the clerk shall receive the same fees as are allowed justices of the peace for like services, and in criminal cases where a justice of the peace would not have final jurisdiction, the same fees as are allowed the clerk in circuit court for like services. The clerk shall also be entitled to a commission of five per cent of any sum or sums collected by such clerk for the state or for Limestone County as compensation for collecting and remitting the same, in addition to his usual fees provided by law and by this act. The register shall receive the same fees as are allowed in circuit court. Each shall have authority to purchase at the county's expense such records, stationery, office supplies and equipment as may be necessary to conduct the court's business. Each shall keep a seal, which shall be the official seal adopted by the court. Said clerk and register shall make a bond payable to the state in the penal sum of five thousand dollars and shall take the oath of office as required of all officers. (b) The clerk of this court and the register of this court shall have the same authorities and shall perform the same duties as the circuit court clerk and register of the circuit court have under the general laws of the state.

Section 12. The judge shall secure the services of a competent reporter to attend the sessions of the court and report all cases tried when request therefor is made by any party to the suit. The reporter shall serve at the will and pleasure of the judge. He shall receive such fees or pay for his services as the judge may order, based upon the usual competitive pay for such, payable out of the general fund of the county.

Section 13. (a) All cases and actions pending in the court abolished by this Act shall be transferred to the court herein created and shall proceed as though begun therein. As to judgments rendered by the abolished court, this court shall have the same power to control, and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it. (b) The presiding judge of the Circuit Court of Limestone County shall, on the effective date of this Act or as soon thereafter as is practicable, transfer to the court created herein all cases pending in the circuit court against persons charged with a misdemeanor, and such cases shall proceed as though begun therein. After the effective date of this act, every indictment returned by a grand jury of Limestone County which charges a person with a misdemeanor shall be transferred immediately to the court herein created and all subsequent proceedings on the indictment shall be had therein. (c) All civil cases at law or in equity now or hereafter pending in the circuit court may be transferred to the court herein created by agreement of parties; similarly, all civil cases at law where the amount claimed or involved exceeds fifty dollars, and all equity cases arising in the court herein created, may be transferred by agreement of the parties to the Circuit Court of Limestone County.

Section 14. Any funds on hand in the court abolished by this Act shall be transferred to the corresponding officer, department or fund of the court hereby created.

Section 15. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 16. All laws or parts of laws which conflict with this Act are repealed.

Section 17. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Baylis Hightower, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Treasurer of the Athens News Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 18, March 25, April 1, and April 8, all in the year 1969.

BAYLIS HIGHTOWER.

Sworn to and subscribed before me April 8, 1969.

LOLA L. ORR,
Notary Public.

Also:

By Messrs. Manley and Pruitt:

H. 689. Relating to Marengo County; to provide that the corporate authorities of any city therein, and the Board of Revenue, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Board of Revenue may unite in the establishment of such service, making it common for the use of the city and of the county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARENGO

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Marengo County; to provide that the corporate authorities of any city therein, and the Board of Revenue, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Board of Revenue may unite in the establishment of such service, making it common for the use of the city and of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The corporate authorities of any city in Marengo County, and the Board of Revenue of Marengo County, may establish within the city, or within the county, ambulance service for the reception and conveyance of the sick, infirm or injured, and may make all needful rules and regulations for the control and management thereof. The corporate authorities of any city or cities within the county and the Board of Revenue may unite in the establishment of such ambulance service, if deemed expedient, making it common for the use of the city and of the county, and in making of rules and regulations for the control

and management thereof, and shall jointly have the same powers and authority above conferred upon each.

Section 2. The governing body of any such city or the county may make an appropriation or appropriations out of their respective treasuries to aid in maintaining such service for the benefit of the public. Any ambulance service established under the provisions of this act may pick up or discharge patients beyond the boundaries of the city or county.

Section 3. All laws and parts of laws in conflict with the provisions hereof are, to the extent of such conflict, repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jim T. McKay, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Demopolis Times, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 8, 5-15, 5-22, and 5-29, all in the year 1969.

JIM T. McKAY.

Sworn to and subscribed before me June 6, 1969.

FLORENCE B. FLOWERS,
Notary Public.

Also:

By Mr. Burgreen:

H. 691. To provide for the compensation and expense allowances for certain officers and employees of Limestone County; to provide additional allowances for the employment of deputies, clerks, and other assistants.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation and expense allowances for certain officers and employees of Limestone County; to provide additional allowances for the employment of deputies, clerks, and other assistants.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Limestone County shall receive the following salaries to be paid from the general funds in equal monthly installments as salaries of county employees are paid:

Probate Judge, $10,500.00 per annum; Tax Assessor, $9,500.00 per annum; Tax Collector, $9,500.00 per annum; Circuit Clerk, $9,500.00 per annum; County Solicitor, $5,400.00 per annum.

Such salaries shall be in lieu of all other compensation heretofore provided by law and all fees, commissions, percentages and other charges heretofore collected for the use of any of the above officers shall be collected and paid into the general fund of the county.

Section 2. The board of revenue, court of county commissioners or any like governing body shall provide to certain officers an additional monthly allowance for the purpose of increasing salaries of clerks, assistants or deputies as follows:

(a) The salaries of full time clerks in the tax assessor's office shall be increased by 5% of their present salary up to a maximum of $367.50 per month. Part time clerks shall receive $240.00 per month.

(b) The salaries of full time clerks in the tax collector's office shall be increased by 5% up to a maximum of $367.50 per month. Part time clerks shall receive $240.00 per month.

(c) The salary of the chief clerk in the office of the circuit clerk shall be increased by 5% up to a maximum of $367.50 per month. The salary of the assistant clerk in said office shall be increased by 5% up to $341.25 per month.

(d) The salary of the chief clerk in the office of the probate judge shall be increased by 5% to a maximum of $392.50. The salary of each clerk in said office shall be increased by 5% up to $341.25 per month. Part time clerks shall receive $240.00 per month.

Section 3. The office of the circuit clerk is hereby authorized to hire one additional clerk for 90 days in each calendar year at a salary of $240.00 per month.

Section 4. The office of the probate judge is hereby authorized to hire one additional clerk for the period beginning October 1st and ending December 31st, in each calendar year at a salary of $240.00 per month.

Section 5. The salary of the coroner is hereby increased to $125.00 per month, and his expense allowance for mileage is hereby increased to 10c per mile.

Section 6. The salary of the chief deputy and each deputy in the sheriff's office is hereby increased by $50.00 per month. The salary of the jailers is hereby increased to $350.00 per month.

Section 7. The sheriff is hereby authorized to hire one investigator and one additional jailer. The investigator shall be compensated as follows: For the first 90 days he shall receive $480.00 per month, for the next nine months he shall receive $520.00 per month. After one year's service he shall receive an annual salary of $6,900.00, which may be increased by the sheriff at his discretion to a maximum of $7,620.00 per annum.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws, or parts of laws in conflict herewith are hereby repealed, and any general, local or special law heretofore enacted relating to the compensation of any officer or employee within the purview of this Act is hereby expressly repealed.

Section 10. This Act shaall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law; provided that should there be a statutory or constitutional prohibition preventing any of the officers named in this Act from receiving the prescribed compensation immediately, the provisions of this Act shall become effective as to them immediately following the date on which such prohibition expires.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
LIMESTONE COUNTY.

Personally appeared before me the undersigned authority in and for said county and state, Baylis Hightower whc after being duly sworn deposes and says:

My name is Baylis Hightower. I am Treasurer of the Athens News Courier, a newspaper of general circulation, published semi-weekly in Athens, Limestone County, Alabama. The copy of publication hereto attached was published in said paper for four (4) consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 29th day of April, 1969, and the last copy of said publication appearing in the said paper on the 15th day of May, 1969.

BAYLIS HIGHTOWER.

Sworn and subscribed to before me this 2 day of June, 1969.

LOLA L. ORR,
Notary Public.

My commission expires 8-23, 1971.

Also:

By Mr. Burgreen:

H. 692. Relating to the pubilc school funds of Limestone County; authorizing the board of education to budget and expend funds for the office of the county superintendent of education, and to regulate the salary, expenses and allowances of the superintendent; providing for the payment of monthly expense allowances to members of the board of education from such funds.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the public school funds of Limestone County; authorizing the board of education to budget and expend funds for the office of the

county superintendent of education, and to regulate the salary, expenses and allowances of the superintendent; providing for the payment of monthly expense allowances to members of the board of education from such funds.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the board of education in Limestone County shall receive from the public school funds of the county the sum of $20.00 per day for attendance at each board meeting of the board and the sum of $25.00 per calendar month as an allowance for expenses incurred in attending meetings and transacting business of the Board. It is the intention of this act that each member of the board shall receive the lump sum of $25.00 each month for expenses without its being necessary to itemize such expenses and to further provide that no board member shall receive such expenses unless he attends at least one duly called board meeting each month or an official committee meeting when as many as three members of the board are present. The necessary expenses of the board members outside the confines of the county or state shall not be included in the above expense allowances but shall be in addition to such allowances; and further, that out-of-county or out-of-state expenses shall be incurred only upon the approval of the board of education. Expenses shall be paid on the same basis as expenses are paid the superintendent of education. Members of the board shall not be allowed per diem for more than thirty-six (36) days in any one year.

Section 2. The Limestone County Board of Education shall have the authority to budget and expend public school funds for the general operation of the office of the superintendent of education when the amount budgeted by the County Commissioners is not adequate to cover necessary costs.

Section 3. The Limestone County Board of Education shall have the authority to set the annual salary of the Superintendent of Education at a minimum of $12,000.00 per annum and not to exceed $15,000.00 per annum and shall also have authority to set travel and all other expenses of the Superintendent not otherwise allowed by law. When the Board of Education deems it necessary or advisable, they shall have authority to raise the Superintendent's salary and allowance for travel and other expenses during any term of office.

Section 4. The Limestone County Board of Education shall have the authority to set the annual salary and allowances for travel and other expenses of the administrative assistants of said board of education. The travel will be paid in a monthly lump sum without its being necessary to itemize such expenses to be used in attending professional and business meetings as required and deemed necessary by the Limestone County Board of Education.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
LIMESTONE COUNTY.

Personally appeared before me the undersigned authority in and for said county and state, Dorothy Brooks who after being duly sworn deposes and says:

My name is Dorothy Brooks. I am Assn't Bookkeeper of the Athens News Courier, a newspaper of general circulation, published semi-weekly in Athens, Limestone County, Alabama. The copy of publication hereto attached was published in said paper for four (4) consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 22nd day of April, 1969, and the last copy of said publication appearing in the said paper on the 13th day of May, 1969.

DOROTHY BROOKS.

Sworn and subscribed to before me this 2 day of June, 1969.

W. R. NELSON,
Notary Public.

My commission expires 7-18, 1970.

Also:

By Mr. Burgreen:

H. 693. Relating to Limestone County; fixing the fee for issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Limestone County; fixing the fee for issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

Be It Enacted by the Legislature of Alabama:

Section 1. In Limestone County the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama 1940, Title 14, Section 177, shall be five dollars ($5.00), and shall be collected by the sheriff.

Section 2. One dollar of each fee so collected shall be deposited in the general fund of Limestone County, and four dollars shall be deposited into a fund to be designated The Sheriff's Fund. This fund should be expended by a board consisting of the Chairman of the Board of Revenue, Superintendent of Education and the Limestone County Sheriff to be used for the betterment of law enforcement within the county.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
LIMESTONE COUNTY.

Personally appeared before me the undersigned outhority in and for said county and state, Dorothy Brooks who after being duly sworn deposes and says:

My name is Dorothy Brooks. I am Assn't Bookkeeper of the Athens News Courier, a newspaper of general circulation, published semi-weekly in Athens, Limestone County, Alabama. The copy of publication hereto attached was published in said paper for Four (4) consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 24th day of April, 1969, and the last copy of said publication appearing in the said paper on the 15th day of May, 1969.

DOROTHY BROOKS.

Sworn and subscribed to before me this 2 day of June, 1969.

W. R. NELSON,
Notary Public.

My commission expires 7-18, 1970.

Also:

By Messrs. Smith, Bolton, Collins (C) and Beck:

H. 556. To provide that the execution of certain contracts and purchases made by or on behalf of the Alabama Institute of Deaf and Blind shall be subject to the provisions of the state competitive bid law as provided by Act No. 217, S. 23, Special Session 1967 (Acts 1967, p. 259) as amended.

Also:

By Messrs. Smith, Bolton, Collins (C) and Beck:

H. 557. Relating to schools; authorizing Alabama Institute for Deaf and Blind to provide education at preschool and junior college levels for deaf, blind, visually handicapped, and otherwise severely handicapped persons.

Also:

By Messrs. Smith, Bolton, Collins (C) and Beck:

H. 558. To amend Code of Alabama 1940, Title 52, Sections 528 and 530, in relation to the Institute for Deaf and Blind.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 681, 682, 689, 691, 692, and 693. To the Committee on Local Legislation No. 1.

H. B.'s 556, 557 and 558. To the Committee on Counties and County Boundaries.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Harper:

H. 572. Relating to Tallapoosa County; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act and the collection and use of the proceeds of the tax; prescribing penalties for violations.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tallapoosa County; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act and the collection and use of the proceeds of the tax; prescribing penalties for violations.

Be It Enacted by the Legislature of Alabama:

Section 1. A county privilege license or excise tax is hereby imposed upon every seller, distributor, storer or user of any malt or brewed beverages (including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percent or more of alcohol by volume) in Tallapoosa County. The tax shall not apply, however, with respect to transactions which occur wholly within the corporate limits of incorporated municipalities. The tax shall be an amount equal to one cent on each four fluid ounces, or fractional part thereof, of malt or brewed beverages sold, used, consumed, distributed, stored, or withdrawn from storage in the county in areas outside the corporate limits and police jurisdictions of incorporated municipalities, and one-half that amount on transactions which occur outside the corporate limits but within the police jurisdictions of such municipalities. The tax shall be in addition to all other taxes heretofore or hereafter levied on such beverages; provided, that where the amount of the tax imposed by this act shall have been paid to the county by any seller, distributor, dealer, storer or user, such payment shall be sufficient, the intent being that the tax levied by this act shall be paid but once.

Section 2. The privilege or license tax authorized herein shall be collected by or under the supervision and control of the county governing body who shall be solely responsible for the administration of this act. Said body shall provide rules and regulations and administrative machinery for the enforcement and collection of the tax levied, and may provide for devices for affixing stamped impressions on lids and crowns to be used in evidence of payment of the tax, and provide proper forms requiring sufficient information and proof, to be verified by the oath of any seller, distributor, dealer, storer or other user claiming exemption from payment of the tax on account of purchases made from others who have paid the tax imposed by this act. The county governing body shall be authorized to employ such personnel and inspectors to assist in the administration and enforcement of this act as may be deemed necessary.

Section 3. Each and every distributor or seller of malt or brewed beverages shall, on or before the 15th day of the first full calendar

month after the effective date of this act, and on or before the 15th day of each calendar month thereafter, file with the county governing body a written statement sworn to and subscribed by each distributor or seller, showing the name and address of such distributor or seller, each and every purchase, receipt or procurement of malt or brewed beverages made by such distributor or seller during the calendar month next preceding, together with the name and address of the producer, distributor, seller or other person from whom purchased, received or procured, the brand or brands of such malt or brewed beverages, the quantity of each brand, the size and kind of containers of each brand of such malt or brewed beverages, the date or dates on which purchased, received or procured, and a detailed, itemized statement showing the name and address of each distributor or seller or other person to whom any malt or brewed beverages were sold, distributed or delivered by such distributor or seller, together with the quantity of each brand of malt or brewed beverages sold, distributed or delivered to each, the size and kind of containers for each brand of such malt or brewed beverages and the date or dates on which sold, distributed or delivered.

(b) Any distributor or seller failing, refusing or omitting to file the statements herein prescribed shall be guilty of a misdemeanor, and each day such default continues shall constitute a separate offense.

Section 4. It shall be unlawful for any distributor or seller to make any sale, distribution or delivery of malt or brewed beverages within the county without first having obtained a permit to do so from the county governing body and also obtaining a business license from each municipality in which sale, distribution or delivery is to be made; provided, however, that nothing contained in this section, or in any other part of this act, shall authorize any sale, distribution or delivery of malt or brewed beverages within the county, if such sale, distribution or delivery is prohibited by any other law of this State.

Section 5. (a) It shall be the duty of any person subject to the license tax imposed by this act to keep full and complete records of all purchases, sales, receipts, inventories and all other matters from which the correct amount of license tax to which such person is subject may be ascertained; in the event that such person should discontinue his business, he shall not destroy or dispose of such records until he shall have given to the county governing body thirty days' notice in writing of his intent to destroy or dispose of such records. The county governing body or its duly authorized agent is authorized to inspect such records and to make copies of such parts of same as he may deem desirable or proper. The failure to keep such records, or destruction without giving the prescribed notice, shall constitute a misdemeanor, punishable in accordance with law.

(b) Upon demand by the county governing body or its authorized deputy or agent, auditor or representative, it shall be the duty of any person subject to the license tax imposed by this act to furnish without delay, all such information as may be required for determination of the correct amount of license tax to which such person is subject, and to that end it shall be the duty of such person to submit to such demanding person, for inspection and examination during reasonable business hours and at such person's place of business, all books of account, invoices, papers, reports, memoranda containing entries showing the amount of purchases, sales, receipts, inventories and any other information from which the correct amount of license tax to which such person is subject, may be determined, including herein the exhibition of bank deposit books and bank statements. Any person failing or refusing to submit such records for such inspection or examination upon lawful demand therefor shall be guilty of a misdemeanor, punishable according to law.

(c) Should any person subject to the provisions of this act not keep and have in his possession or control correct and detailed books of

account, invoices, papers, reports or memoranda correctly showing the data and information necessary for the determination of the correct amount of the license tax due, and the required information as to sales in the several tax areas; or, if, having the same in possession or under control such person shall fail or refuse to submit and exhibit same for inspection and examination as herein required, then and in that event it shall be the duty of the county governing body to ascertain from such information and data as it may reasonably obtain the correct amount of license tax due from such person and to assess the same against such person and give to such person notice of such assessment and demand of him immediate payment of the amount thereof. If such amount be not paid within ten days after receipt of notice and demand for payment, then such failure to pay shall constitute a misdemeanor, and each day of delay in payment shall constitute a separate offense.

(d) The tax shall be paid by each distributor or seller when he makes his report as required in section 3 or when he buys his decals or other devices from the county governing body, if that body requires the distributor or seller to buy decals or other devices.

Section 6. (a) It shall be the duty of the county governing body to prepare such forms as may be necessary for use by sellers and distributors of malt or brewed beverages in complying with the provisions of this act, and to furnish the same to such distributors or sellers as they may be requierd.

(b) It shall be the duty of the county governing body to enforce the provisions of this act, and to that end its duly appointed agent is authorized to enter lawfully any premises of any retailer of malt or brewed beverages at any time during the hours in which such retailer is engaged in the business of selling or serving malt or brewed beverages, and to inspect the containers of malt or brewed beverages in the retailer's possession, for the purpose of determining whether or not there be any containers not having affixed the decal or other device contemplated by this act. It shall be lawful also for any police officer or a deputy sheriff to enter lawfully any such retail establishment for the said purpose of inspection and determination of whether or not there be on hand any untaxed malt or brewed beverages.

Section 7. Collection of the tax may be accomplished in this fashion:

The governing body may procure decals or other devices susceptible of being affixed, with measurable permanence, to containers of malt or brewed beverages to be taken from storage, distributed or sold, each of which decals or other devices shall bear in legible characters a notation that it evidences the payment of the tax levied by this act, and may procure such forms and other printed matter and materials as may be necessary in the administration of this act. Decals or other devices may be furnished to each seller or distributor of malt or brewed beverages, upon his request therefor and payment of the amount of tax corresponding to the stated value of the decals or other devices that he procures, less a ten per cent (10%) discount; provided, however, that such decals or other devices shall be sold and furnished to wholesalers only. Each distributor or seller must affix to each container of malt or brewed beverages the appropriate decals or other devices before the same is taken from storage, sold or delivered.

Section 8. The proceeds of the tax imposed by this act shall be paid into the general fund in the county treasury and may be used for any lawful county purpose.

Section 9. Any person, firm, or corporation who violates any provision of this act or the rules and regulations as may be provided by the county governing body shall be guilty of a misdemeanor and upon

conviction shall be punished as prescribed by law. Each month such violation continues shall constitute a separate offense.

Section 10. Any person, firm, or corporation who fails to pay the tax herein levied within the time prescribed in the rules and regulations promulgated by the county governing body shall pay, in addition to the tax, a penalty of ten percent of the amount of tax, together with interest thereon at the rate of one-half of one per cent per month or fraction thereof, from the date at which the tax herein levied becomes payable, such penalty and interest to be assessed and collected as a part of the tax.

Section 11. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this act are repealed.

Section 13. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, Ray Pruett Business Manager, of the Dadeville Record, published weekly at Dadeville, Alabama, do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular and entire issue of said newspaper and not in any supplement thereof, for Four consecutive weeks, commencing with the issue dated March 20, 1969, and ending with the issue dated April 10, 1969.

RAY PRUETT.

Subscribed and sworn before me this 14th day of April, 1969.

JEAN DAVIS,
Notary Public.

Also:

By Mr. Fine:

H. 642. Relating to counties having a population of not less than 13,700 nor more than 14,300; increasing the salary of the deputy solicitor in such counties.

Also:

By Messrs. Cook (Jefferson), Adwell, Yeilding, Weeks, Holman, Sessions, Money, Waggoner, House, Watkins and Ellis:

H. 676. To levy in Jefferson County a privilege or license tax on persons, corporations, partnerships, firms, associations and other entities engaged in the business of renting or furnishing rooms, lodgings or accommodations, in any hotel, motel, inn, tourist court, or any other place in which rooms, lodgings or accommodations are rented or furnished for a consideration, and also a privilege or license tax on persons engaged in the business of renting or furnishing space for the accommodation of trailers; to provide the amount or rate of the aforesaid taxes; to provide for certain exemptions from the taxes so levied; to provide for the method of collecting and enforcing the said taxes; to provide that the Director of Revenue of the County shall collect the taxes levied by this act; to provide that the said Director of Revenue shall pay one percent (1%) of the total amount of the said taxes col-

lected by him to the treasury of the County, as compensation to the County for expenses incurred by the County in the collection of said taxes and in the administration and enforcement of this act; to provide that the said director of Revenue shall pay all of the proceeds of the taxes, except the one percent (1%) deducted as aforesaid, to the convention and tourism authority of the County created by that certain act adopted during the Regular Session of the Legislature of Alabama of 1969, which provides for a convention and tourism authority in counties of the state having a population of 500,000 or more according to the last or any subsequent Federal census: to repeal all ordinances of any municipalities within the County imposing, or levying, any license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the charges made for rooms, lodgings or accommodations; to provide that the aforesaid repeal of municipal ordinances shall not impair the power of the governing body of any municipality to re-enact any ordinance hereby repealed, or to enact any new or different ordinance imposing, or levying, a license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the total charges made for rooms, lodgings or accommodations; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the Act.

Also:

By Messrs. Yeilding, Weeks, Holman, Sessions, Gloor, Money, Crane, Kilgore, Waggoner, Meeks, Ellis, Bowers, Watkins and Gafford:

H. 678. Proposing a further amendment to Constitutional Amendment CLXXV adopted December 18, 1961 relating to special district taxes for furtherance of education in Jefferson County.

Also:

By Messrs. Cherner, Money, Meeks, Yeilding, Ellis, Weeks, Sessions, Holman, Dill, Cook (Jefferson), and House:

H. 679. To authorize the governing body of every county of the State having a population of 500,000 or more according to the last or any subsequent Federal census to adopt and enforce ordinances designed to promote the orderly and safe movement of pedestrian and vehicular traffic on the public highways and roads in areas of the county not situated within the boundaries of any municipality; to authorize any such governing body to adopt and enforce ordinances prescribing speeds at which it shall be lawful and speeds at which it shall be unlawful to operate vehicles on such public highways and roads; to authorize any such governing body to adopt and enforce ordinances providing for the installation or maintenance of traffic signs, traffic signals, traffic lines, traffic lanes and other devices designed to regulate and control vehicular and pedestrian traffic on such public highways and roads, to authorize any such governing body to adopt and enforce ordinances containing regulations and prohibitions regarding the parking of vehicles on such public highways and roads; to provide that no such governing body shall have the authority to adopt any ordinances applying within the corporate limits of any municipality and that no ordinance adopted under this Act shall have any effect or force within the corporate limits of any municipality; to provide that no such governing body shall have the power to pass any ordinance inconsistent with any law of the State or with any ordinance of any municipality applying within the police jurisdiction thereof; to provide that if there is any such conflict, the State law or the municipal ordinance shall prevail over the ordinance adopted by the governing body of the county, insofar as there is any such conflict; to provide for the procedure by which the governing body

shall adopt an ordinance under this Act; to provide that no ordinance adopted under this Act shall take effect until it has been published in a newspaper of general circulation in the County; to provide that all courts of the State shall take judicial notice of all ordinances adopted under this Act; to provide that the violation of any ordinance adopted under this Act shall constitute a misdemeanor and to provide the punishment to be imposed upon one convicted of any such violation; to provide that the fees and costs of court in cases involving the violation of any such ordinance shall be the same as the laws prescribed generally for misdemeanors in that court wherein the cases involving such violation arises; to repeal all laws or parts of laws in conflict with this Act to the extent of such conflict; and to provide when this Act shall become effective.

Also:

By Messrs. Ellis, Dill, Adwell, Yeilding, Weeks, Holman, Sessions, House, Crane, Money, Waggoner, Cherner, Watkins, Meeks, Gafford, Cook (Jefferson), Kilgore, Bowers, Jackson (T) and Gloor:

H. 680. To amend Section 68 of Title 52 of the 1940 Code of Alabama relating to compensation of members of the County Board of Education and to fix the compensation of members of the County Board of Education in all counties having a population of 600,000 persons or more according to the last or any succeeding federal census.

Also:

By Messrs. Downing, Grayson and Nettles:

H. 654. To provide that the Governing Body of any City or town in any county in the State of Alabama having a population, according to the last or any future Federal Census, in excess of 300,000 inhabitants and less than 600,000 inhabitants may, by resolution or ordinance, create the position of Assistant City Attorney on a full time basis, and designate the position to be that of the Senior Assistant City Attorney, or Principal Attorney, or other such appropriate title; and may provide by the same resolution or ordinance that any person presently holding such position in the municipal government shall be immediately placed upon the employment roster of any countrywide Civil Service or merit system of such county, without examination and without any decrease in the salary of such person, and such position shall thereafter remain under the provisions of any such countrywide Civil Service or merit system.

Also:

By Mr. Williams:

H. 595. To provide further for the selection of textbooks and instructional materials for use in the public schools in all counties having populations of not less than 36,600 nor more than 37,600, according to the most recent federal decennial census.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 572, 642, 654 and 595. To the Committee on Local Legislation No. 1.

H. B.'s 676, 678, 679 and 680. To the Committee on Local Legislation No. 2.

(The above numbered Bill, H. B. 678, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Collins (W), Hobbie, Marr, Nettles, Grayson, Lyons and Perloff:

H. 120. Relating to crimes and offenses: to prohibit certain trespass upon the property of schools and institutions of higher education and to prohibit any interference with the peaceful conduct of the business of such schools and institutions.

Also:

By Messrs. Pennington, Jones, McLain, Grainger and Laxson:

H. 90. To amend Act No. 863, H. 1061, Regular Session 1965 (Acts 1965, p. 1605), an act to create the Alabama Space Science Exhibit Commission; amending Section 3 of such act so as to exempt certain employees of the Commission from the provisions of the state merit system act, to provide that such employees shall not be eligible to participate in the state's health insurance plan and benefits for state employees or in the state employees' retirement system; and amending Section 8 of such act so as to define further the duties, powers and authority of the commission, specifically with reference to programs for promoting and advertising the exhibits and facilities provided by this act, to purchasing by the commission and to the operation of concessions on the grounds and facilities operated by the commission.

Also:

By Messrs. Cook (Jefferson), Adwell, Yeilding, Weeks, Holman, Sessions, Cherner, Money, Waggoner, House, Meeks, Watkins, Ellis and Gafford:

H. 675. To provide in every County having a population of 500,000 or more according to the last or any subsequent Federal census for the creation of a public corporation which shall be vested with the powers provided for in the act, for the purpose of attracting conventions and tourists to the county; to define the powers of such corporation; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the act.

Also:

By Messrs. Neville and Paulk:

H. 669. Relating to counties having populations of not less than 26,000 and not more than 27,000; providing an additional mileage allowance for the members of the governing body of such counties to be used in attending certain conventions.

Also:

By Messrs. McLain, Money, Sessions, Brannan, Owen (Baldwin), Wright, Mays, Starnes, Grainger, Jones, Laxson, Cameron and McDonald:

H. 92. To make further provisions respecting distribution to municipalities, under Act No. 224 adopted at the 1967 Special Session of the Legislature of Alabama, of that portion allocated to municipalities under the said Act No. 224 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Sections 5 and 7 of the said Act No. 224, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities under Section 5 of the said Act No. 224 that have not yet been distributed to the said municipalities.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 120. To the Committee on Education.

H. B. 90. To the Committee on Public Buildings and Grounds.

H. B. 675. To the Committee on Local Legislation No. 2.

H. B. 669. To the Committee on Local Legislation No. 1.

H. B. 92. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Robertson, Culver, Brown and Bank:

H. J. R. 53. WHEREAS the Retired Men's Club of Tuscaloosa has shown itself to be a vibrant, vigorous element in the community life of that area, and has through its continuing efforts contributed a great deal to the betterment of the people and institutions of Tuscaloosa and its environs; and

WHEREAS the Retired Men's Club has demonstrated to the people of Alabama that a man's usefulness to his community and his neighbors can never be measured by age; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we take great pleasure in commending the Retired Men's Club of Tuscaloosa, and urge them never to retire from work and interests beneficial to their community, county, state and to their fellow man.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to each member of the club.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, H. J. R. 53, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bank, Culver, Robertson, McCorquodale, Turnham, Nettles and McLain:

H. J. R. 49. WHEREAS Dr. Forest David Mathews, native of Grove Hill, Alabama, has been named by the board of trustees of the University of Alabama to the presidency of the University at Tuscaloosa; and

WHEREAS Dr. Mathews, being a vigorous young man of high intellect, formidable education and exceptional training and experience, is eminently qaulified for the responsible position to which he has been elevated. He received his bachelor's degree from the University in history and classical Greek in 1958 and his master's degree in education in 1959; and while earning his doctoral degree in the history of American education at Columbia University, he taught history and the philosophy of education prior to receiving his Ph.D. from that institution in 1965. After discharging his obligation in the armed services of the United States in which he was an officer in the Infantry Division, he returned to the University of Alabama. Here, he was a lecturer in the history department and was interim dean of men. He became an executive assistant to Dr. Rose in 1966, in which capacity he served until he was named executive vice president for the Tuscaloosa campus last year; and

WHEREAS Dr. Mathews rendered invaluable assistance to the Alabama Educational Study Commission for which he served as chairman of an important subcommittee, and holds responsible posts in numerous educational organizations; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are delighted with the appointment of Dr. Mathews to the presidency of the University of Alabama at Tuscaloosa. We commend the board of trustees upon their selection, and we heartily congratulate Dr. Mathews upon his being named president of this fine institution. We assure him of our confidence in his ability to fulfill his responsibilities, and look forward to the continued progress of the university under his administration.

RESOLVED FURTHER, That copies of this resolution be sent to Dr. Mathews and to the board of trustees of the University of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, H. J. R. 49, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bank, Culver, Robertson, McCorquodale, Nettles and Turnham:

H. J. R. 50. WHEREAS Dr. Joseph F. Volker has been named by the board of trustees of the University of Alabama to the presidency of the University Complex at Birmingham; and

WHEREAS the State of Alabama is indeed fortunate in having had the benefit of Dr. Volker's exceptional professional talents and outstanding organizational ability which has guided the phenominal growth of the University at Birmingham (UAB) since he came from his native state of New Jersey in 1948 to organize and to be the first dean of the university's School of Dentistry; and

WHEREAS Dr. Volker attended Rutgers University and received his D.D.S. degree from Indiana University in 1936, an A.B. degree from the University of Rochester in 1938, his master's degree in biochemistry there the following year and his Ph.D. degree in biochemistry from the same institution in 1941. He taught biochemistry and pharmacology at Rochester's School of Medicine and Dentistry where he was a Carnegie Fellow, and was professor of clinical dentistry at Tufts College Dental School where he was dean immediately prior to coming to Alabama; and

WHEREAS Dr. Volker became director of the fast growing University of Alabama Medical Center in 1966 at which time he was also put in charge of the newly established College of General Studies in Birmingham, and was made executive vice-president of the University of Alabama Complex at Birmingham (UAB) last year; and

WHEREAS Dr. Volker has not only won state and national recognition for his outstanding ability, but he has also received international honors in appreciation for his consultant and advisory health work. The King and Queen of Thailand have conferred upon him an honorary doctor of science degree from the University of Medical Science in Thailand and the King of Sweden conferred the Doctor honoris causa degree from Lund University in Sweden; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend the board of trustees of the University of Alabama for their selection of a president for the University of Alabama at Birmingham. We assure Dr. Volker of our appreciation for his past services to this state and for the favorable recognition which he has brought to Alabama. We congratulate him upon his nomination to the presidency of the Birmingham Campus and look forward to its continued growth under his able and dynamic leadership.

RESOLVED FURTHER that copies of this resolution be sent to Dr. Volker and to the board of trustees of the University of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Morrow, the Rules were suspended and the Resolution, H. J. R. 50, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Robertson, Culver, Brown and Bank:

H. J. R. 54. WHEREAS the 1969 Girls State staff members and counselors have once again demonstrated to the people of Alabama and to the members of the legislature their collective and individual competence in organizing, conducting and managing an activity which contributes greatly to the development of the youth of this state; and

WHEREAS the Girls State staff and counselors have, through individual efforts, instilled in their young charges the devotion and dedication to civic, community and state affairs that they themselves possess in abundance; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend each and every person associated with this fine group for a job very well done, and for demonstrating to the adults of the state the fine and outstanding qualities of its young people.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to each staff member and counselor who took part in the recent activities.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Childs, the Rules were suspended and the Resolution, H. J. R. 54, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bowers, Manley, Pruitt, Gafford, Adwell, Meeks and Holman:

H. J. R. 52. WHEREAS those Americans who have served their country through active duty in the Armed Forces of the United States are among our most esteemed citizens and but for their stead-fastness America would have fallen a victim of the oppressor's heel; and

WHEREAS though these men deserve special care and consideration by virtue of their service, in order to be admitted to a Veterans' Administration Hospital a veteran must attest to the so-called "Pauper's Oath"; and

WHEREAS an annual income statement must be submitted for purposes of qualification for a veteran's pension, regardless of the age a veteran attains, and Social Security and other Retirement Benefits must now be considered as income for the purpose of qualification for a veteran's pension, regardless of the age of the veteran; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Congress of the United

States be, and hereby is, memorialized to amend the laws of the land concerning veterans and veterans' affairs so as to eliminate the so-called "Pauper's Oath" as a prerequisite to entrance by a veteran into a Veterans' Administration Hospital. The Congress of the United States is further requested to eliminate the annual income statement when the veteran reaches the age of seventy-two (72) years and to exempt Social Security and other Retirement Benefits from consideration as income after the veteran reaches the age of seventy-two (72) years.

RESOLVED FURTHER that duly authenticated copies of this resolution be sent to each member of the Alabama Congressional Delegation and to the Chief Clerks of the Senate and House of Representatives of the United States.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Leonard, the Rules were suspended and the Resolution, H. J. R. 52, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 116. Relating to counties having populations of not less than 14,900 nor more than 15,200; amending Act No. 122, H. 91, approved March 29, 1965 (Acts of Alabama, First Special Session 1965, p. 175).

Also:

S. 275. Proposing an amendment to the Constitution of Alabama relative to a special district ad valorem tax for public school purposes in each school district of Calhoun County except the school district comprising the City of Anniston.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORTS OF COMMITTEES

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Marr:

H. 111. To prohibit the exposing of certain obscene and harmful materials to minors; to define terms, and to prescribe penalties.

By Messrs. Hain, Steagall and Blanton:

H. 370. To amend further Code of Alabama 1940, Title 21, Section 4, which relates to the appointment of testamentary guardians, so as to change the time for claiming the right to appointment as a testamentary guardian.

By Messrs. Skidmore, Leonard, Nabors and O'Bannon:

S. 21. To amend Section 106 of Act No. 207, S. 134, Regular Session 1949 (Acts 1949 p. 242) by allowing women over eighteen to work in or about coal mines.

By Messrs. Skidmore, Leonard, Nabors and O'Bannon:

S. 22. To amend Code of Alabama 1940, Title 26, Section 158, by allowing women over eighteen to work in or about coal mines.

By Messrs. Skidmore, Leonard, Nabors and O'Bannon:

S. 23. To amend further Code of Alabama 1940, Title 30, Section 21, as amended to prohibit female jurors from being excused at the discretion of the trial judge.

By Mr. Torbert:

S. 57. To repeal Section 30, Title 13, Code of Alabama 1940, which requires the justices of the Supreme Court to remain in Montgomery during terms of court.

By Mr. Torbert:

S. 59. To provide for a supreme court composed of a chief justice and eight associate justices; amending Code 1940, Title 13, Secs. 10, 11, 14, and 15, and Title 17, Sec. 71.

By Mr. Torbert:

S. 66. To provide for assessment of reasonable fees for attorneys prosecuting the cause in suits for recovery of past due alimony, maintenance or support.

By Mr. Giles:

S. 174. To provide for the creation and operation of a Board of the State of Alabama to be known as the Beautification Board of the State of Alabama; providing for the appointment of said Board; setting out the qualifications of members; determining the method of filling vacancies; providing for the organization of the Board and for meetings and setting out the powers and duties of the Board.

By Mr. Nabors:

S. 194. To authorize and provide for Minute Entries in cases appealed from a City Recorder's Court, Mayor's Court, Police Court, or any Municipal Court, to the Circuit Courts or any other Courts of Record in Alabama.

By Mr. Morrow:

S. 205. Relating to crimes and offenses; defining certain crimes relative to credit cards, including offenses relative to obtaining, possessing, using, dealing in, forging, signing and providing goods and services upon presentation of a credit card; prescribing certain presumptions and proscribing certain defenses relative to the crimes hereby defined; prescribing penalties; and providing that this act is cumulative.

By Mr. Goodwyn:

S. 237. To create a Court of Criminal Appeals and a Court of Civil Appeals; to provide for the jurisdiction of each; to provide for appeals to said courts; to provide for the transfer of cases between the courts and between them and the Supreme Court; to provide for the reporting of the decisions, the terms of court, law clerks for each of the judges, the salaries of the judges, their place of residence, that the members of the Criminal Court of Appeals shall be the same members as the former Court of Appeals; providing for the appointment by the governor of the members of the Civil Court of Appeals to staggered terms, providing for supernumerary judges of said courts, for a clerk of said courts and his duties, and for other clerical assistance and for a review by certiorari of the decisions of said courts.

By Mr. Engel:

S. 253. To amend further Code of Alabama 1940 Title 30, Section 55 as amended, to remove the ground for challenge for cause of persons over the age of sixty-five.

By Mr. Engel:

S. 254. To regulate the sale, transfer and possession of tear gas guns, tear gas fountain pens, or similar devices, and to prescribe penalties for violations.

By Mr. Engel:

S. 256. To amend Act No. 206, H. 81, of the First Special Session of 1964 (Acts, First and Second Special Sessions 1964, p. 266), entitled "An Act to provide for the creation of apartment ownership, and to prescribe regulations therefor"; to redefine an apartment owner's interest in the common area and facilities appurtenant to the apartments and to prescribe a legal description of such apartments.

By Messrs. Engel and McDermott:

S. 257. To prohibit the offer for sale of goods, wares or merchandise where the offer includes the unsolicited sending of such goods, wares or merchandise not requested by the recipient; and to declare the same an unconditional gift to the recipient.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Folsom, Branyon, Lolley and Oden (with amendment):

S. 310. To amend Section 2 of Act No. 870, H. 200, Regular Session, 1961 (Acts of 1961, page 1365) entitled "An Act to amend Sections 1, 2, 6

and 9 of Act No. 343, approved August 20, 1957, entitled 'An Act to provide further for the execution of certain public contracts providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of any state department, board, bureau, commission, committee, institution, corporation, authority, or office and prescribing penalties.' "

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Albea:

S. 324. To propose an amendment to the Constitution of Alabama providing for jury verdicts in civil cases by vote of five-sixths majority of the jurors empaneled.

The above bill was read a second time at length as required by the Constitution.

By Mr. Skidmore:

S. 328. Relating to actions and parties; providing for maintenance of actions ex delicto against publicly owned and operated hospitals.

By Messrs. Cooper, Stone and Vacca:

S. 334. To require all judges and justices of the peace to report each conviction of a traffic violation in their courts to the director of public safety and providing penalties for failures to comply.

By Mr. Turner:

S. 338. Relating to juries and jurors; to provide compensation for wage loss sustained by employees required to serve on juries of courts created pursuant to the Constitutions and laws of the United States and the State of Alabama; to repeal conflicting laws and for other purposes.

By Messrs. Engel, Cooper and McDermott:

S. 371. To abolish the Fort Morgan Historical Commission and to place its powers, duties, personnel, property, and funds under the jurisdiction of the Division of State Parks, Monuments, and Historical Sites of the Department of Conservation and to create the Fort Morgan Historical Advisory Commission.

By Mr. Vacca:

S. 394. To amend Act No. 566, Regular Session 1959 (Acts 1959, p. 1424) relating to frauds concerning checks, drafts, or orders by removing the ten day limitation for proof of payment to overcome the presumption of fraud raised by refusal by the drawee.

By Mr. Turner:

S. 399. To amend further Code of Alabama 1940, Title 30, Section 21, as amended, so as to eliminate therefrom the provision authorizing the placing on the jury roll and in the jury box the names of persons who cannot read English, but are freeholders or householders and possess the other qualifications prescribed for jurors.

By Mr. Skidmore:

S. 407. To amend Code of Alabama 1940, Title 7, Section 433 relative to the competency of witnesses in civil suits so as to delete from such section provisions making certain persons incompetent to serve as witnesses.

By Mr. Leonard:

S. 433. Relating to the Twenty-ninth Judicial Circuit; creating an additional judgeship for such circuit; providing for the designation of such judgeships by number and for a presiding judge of such circuit; and providing for the election, term, compensation, powers, duties, liabilities and authority of an additional judge for such circuit.

By Mr. Nabors:

S. 437. To amend further Section 21 of Title 11, Code of Alabama (1940) which relates to fees allowed Clerks of Circuit Courts.

By Mr. Doninick:

S. 443. To amend section 3 of Act No. 584, H. 795, Regular Session 1963, an act authorizing and providing for establishment of regional advisory planning commissions (Acts 1963, v. 2, p. 1278).

By Messrs. Goodwyn, Oden, Gilmore, Torbert, Cooper, Giles, Engel, Pierce, Turner and Clark:

S. 445. To amend paragraphs (1) and (3) of subsection C of Section 279 and Sections 289, 293 and 299, all being of Title 26, Code of Alabama 1940, as last amended, pertaining to the Workmen's Compensation Law.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Goodwyn, Oden, Clark, Gilmore, Torbert, Cooper, Giles, Engel, Pierce and Turner (with amendment):

S. 446. To amend Sections 202, 203, Paragraph 1 of Subsection A, and Paragraphs 3 and 4 of Subsection B, and Subsection F, and Subsection G and Subsection H, (all said paragraphs and subsections being in Section 204,) Section 207, Paragraph 1 of Subsection D and Paragraph 1 of Subsection L of Section 214, Title 26, Code of Alabama 1940, as amended, all relating to unemployment compensation.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Torbert:

S. 461. To provide for the indemnification by all corporations of corporate directors, officers, employees and agents against expenses, judgments, fines and settlements in certain cases; and to that end to authorize any corporation to purchase and maintain insurance on behalf of such persons to indemnify them against liability in certain cases; and to provide that this act shall be supplemental to and not in derogation of any other rights of indemnification.

By Mr. O'Bannon:

S. 464. To prescribe a summary judgment rule to apply in the circuit courts and in courts of full like jurisdiction in all suits of a civil nature.

By Mr. Cooper:

S. 481. To amend Code of Alabama 1940, Title 41, Sections 211 and 221, which relate to offenses concerning county officers.

By Mr. Cooper:

S. 483. To further amend Title 22, Section 255, Code of Alabama 1940, as last amended by Section 5 of Act No. 397, Acts of Alabama 1957 page 557, approved September 4, 1957, by changing a penalty from a misdemeanor to a felony.

By Mr. Cooper:

S. 484. To amend Section 5 of Act No. 586, Acts 1957, Volume II, page 823, approved September 18, 1957, entitled, "An Act further regulating the traffic in narcotic drugs by forbidding unauthorized transportation or conveying of such drugs and providing that any vehicle, boat, aircraft or other conveyance used in the illegal carrying or transportation of narcotic drugs shall be contraband and forfeited to the State of Alabama in the manner prescribed in this Act."

By Messrs. Radney, Skidmore and Albea:

S. 487. Relating to rights of married women; providing for and giving wives equal rights with husbands by allowing a wife to bring an action for loss of consortium, companionship and services of her husband and for recovery of reasonable value of nursing care or services rendered by her where the husband is injured by wrongful act, omission, negligence, or wanton conduct of another.

By Messrs. McDermott and Jackson:

S. 488. To change the membership of the Alabama Water Improvement Commission by amending Section 3 of Act No. 574, Page 1058, Acts of Alabama 1965 Regular Session, approved August 26, 1965, which created the present Alabama Water Improvement Commission.

By Mr. O'Bannon:

S. 489. To require all dealers of scrap metal to obtain a sworn affidavit from the seller prior to the purchase of any copper or copper alloy metal.

By Mr. Skidmore:

S. 492. To create offices of Deputy District Attorney No. 1, Deputy District Attorney No. 2, and Deputy District Attorney No. 3 of the Sixth Judicial Circuit and provide for the appointment, duties and compensation of such offices.

By Mr. Torbert:

S. 499. To amend Sections 65 and 67 of Act No. 414 adopted at the Regular Session of the Legislature of Alabama of 1959 so as to provide that the shares of corporations merging into a single corporation may be converted, in whole or in part, into cash or property or into shares, other securities, or obligations of any other corporation.

By Mr. Harris:

S. 514. To prohibit any person, firm or corporation from operating or conducting any motor vehicle race or exhibitions on any permanent racetrack or other place where races or exhibitions are held unless there shall first be obtained a license as set forth herein; to provide certain requirements for licensing; to provide for fees; to authorize the Director of the Department of Public Safety to grant, revoke or suspend any such licenses; to provide penalties for violation of this Act; to provide an effective date; to repeal conflicting laws; and for other purposes.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Yeilding et al:

H. 81. To authorize and permit teachers, who have retired under the Teachers' Retirement Act, to perform duties as substitute teachers in the public, elementary and high schools, when they are physically and mentally able to do so in the opinion of the employing authority, to prescribe the limitations therefor, and to repeal Act No. 1038 of the 1961 Legislature.

By Messrs. Springer and Neville:

H. 310. For the relief of widows of governors of Alabama.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Torbert (with substitute):

S. 60. To amend Sections 31, 32 and 33, Title 13, Code of Alabama 1940, as amended, relating to supernumerary justices of the supreme court so as to provide further conditions for mandatory and elective status and to prescribe the duties, powers and salaries of such justices.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Gilmore, Pierce, Giles, Turner, Clark, Cooper, Oden and Torbert:

S. 471. To further amend Sections 6 and 9 of Act No. 343, Acts of 1957, Vol. 1, p. 1452, as amended, entitled "An Act to provide further for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of any state department, board, bureau, commission, committee, institution, corporation, authority, or office and prescribing penalties."

By Mr. Lolley:

S. 501. To provide a state scholarship program to promote the education of nurses at the School of Nursing, Troy State University; and making an appropriation therefor.

By Mr. Clark:

S. 502. Relating to the dispensing of minimum program school funds by the state board of education; providing for the direct payment thereof to certain independent city boards of education; relieving county boards of education in which such cities are located of certain duties and imposing such duties on city boards of education; providing for the implementation of this act.

By Mr. Clark:

S. 511. To amend Section 1 of Act No. 37 adopted at the Extraordinary Session of 1969 of the Legislature of Alabama so as to change the definition of "Utility" as said definition appears in said Section 1.

By Mr. Clark:

S. 510. To amend Section 1 of Act No. 21 adopted at the Extraordinary Session of 1969 of the Legislature of Alabama so as to change the definition of "Utility" as said definition appears in said Section 1.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Skidmore:

S. 490. To provide for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judicial Circuit of Alabama.

By Mr. Skidmore:

S. 491. To amend further Act No. 491, S. 444, Regular Session 1961, relating to cities having populations of not less than 60,000 nor more than 70,000 according to the most recent federal decennial census (Acts 1961, p. 563) so as to provide expense allowances for the chairman and associate members of the city commission.

By Messrs. Graham and Berryman (W):

H. 37. Proposing an amendment to the Constitution of Alabama providing for a special school tax in school districts numbers one and two in Colbert County.

The above bill was read a second time at length as required by the Constitution.

By Mr. Fite:

H. 284. Providing for the compensation and meeting days of the jury commission in every county of this state having populations of not less than 20,500 nor more than 21,850, according to the most recent federal decennial census; and providing that this Act shall have retroactive effect.

By Mr. Springer et al:

H. 659. To provide that the Board of Revenue, or like governing body now existing or that may be hereafter created in all Counties of Alabama, having a population of not less than 150,000 nor more than 300,000 inhabit-

ants according to the 1960 Federal Census pay to the Recorder of the Recorder's Court of all cities located in said County or counties for ex officio services rendered by the Recorder in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Four Thousand Two Hundred and No/100 (4,200.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury, and providing further for the payment to the designated Prosecuting Attorney of the Recorder's Court located in said County or counties for ex officio services rendered by him in the prosecution of cases in Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Two Thousand Four Hundred and No/100 (2,400.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury.

By Mr. Cameron:

H. 407. To provide a supplement payable by the counties for any judge of the 15th Judicial Circuit of Alabama who becomes supernumerary circuit judge.

By Mr. Mathews:

H. 219. Relating to all counties having populations of not less than 11,000 nor more than 13,000, according to the most recent federal decennial census; to confer additional powers on the Circuit Clerk of Clay County.

By Mr. Cooper (with notice and proof):

S. 503. Relating to Wilcox County; to amend further Act No. 436, S. 397, Regular Session 1939 (Loc. Acts 1939, p. 261), an act which provided further for the duties, power, authority, and compensation of the members of the Court of County Commissioners of Wilcox County.

By Mr. Cooper (with notice and proof):

S. 504. To amend Act No. 192, H. 652, Regular Session 1955 (Acts 1955, p. 477), an act which authorizes and requires the governing body of Wilcox County to pay the clerk hire of certain county officers.

By Mr. Tuck (with notice and proof):

H. 258. To alter, rearrange and extend the boundaries and corporate limits of the town of Gordo, Pickens County, Alabama, so as to annex certain territory to the town.

By Mr. Tuck (with notice and proof):

H. 257. To amend further Section 3 of Act No. 149, H. 441, Acts 1951, p. 333 relating to Greene County, so as to make further provisions respecting the compensation of the chairman of the court of county commissioners.

By Messrs. Crawford and Stembridge:

H. 256. Relating to all counties having populations of not less than 15,000 nor more than 15,300, according to the most recent federal decennial census; to authorize the governing body of each such county to pay the salaries of clerks for the tax assessor and the tax collector of the county.

By Mr. McCarley (with notice and proof):

S. 512. To amend Section 5 of Act No. 77, H. 325, Regular Session 1947 (Local Acts 1947, p. 55) as amended, an act to create the office of county solicitor of Autauga County, so as to provide an expense allowance for the county solicitor.

By Messrs. Crawford and Stembridge:

H. 254. To apply only in counties having populations of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 253. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the town of Hartford in Geneva County.

By Messrs. Malone and Wright:

H. 252. To apply only in counties having populations of not less than 96,000 nor more than 106,000, regulating the compensation and allowances of members of the county board of education.

By Mr. Cook (Coffee):

H. 233. Relating to counties having populations of not less than 30,550 and not more than 31,000; providing for the appointment and terms of office of the directors of hospital associations organized in such counties.

By Mr. O'Bannon:

S. 513. Relating to the Thirty-first Judicial Circuit; extending the powers, authority and duties of the District Attorney of any such Judicial Circuit so as to empower, authorize and require that such District Attorney supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary, in any and all inferior courts located and constituted in the county composing any such judicial circuit; creating the office of deputy District Attorney for any such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of such deputy District Attorney and for his compensation, and further providing that such compensation shall be paid out of the general fund of the county composing any such judicial circuit; authorizing the District Attorney of such circuit to appoint a stenographic secretary, and providing for the payment of said secretary's compensation from the general funds of the county constituting such circuit; providing for the supplemental compensation of the District Attorney of the 31st Judicial Circuit and that such supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

By Mr. Mathews (with notice and proof):

H. 224. To further regulate the sale of spirituous or vinous liquors and malt or brewed beverages in Coosa County.

By Mr. Mathews (with notice and proof):

H. 223. To confer additional powers on the Circuit Clerk of Coosa County.

By Mr. Mathews (with notice and proof):

H. 222. To authorize the court of county commissioners or like governing body of Coosa County to levy a privilege or license tax on persons, firms and corporations, selling, distributing or delivering any malt or brewed beverages to retailers in Coosa County; to authorize said governing body of Coosa County to collect the tax, and to make rules and regulations to govern enforcement and collection of the tax; to provide for the rate of the tax and the use of the proceeds thereof.

By Mr. Mathews:

H. 221. Relating to all counties having populations of not more than 10,800, according to the most recent federal decennial census; further regulating the salary of the county superintendent of education in each such county.

By Mr. Mathews:

H. 220. Relating to all counties having populations of not less than 11,000 nor more than 13,000, according to the most recent federal decennial census; further regulating the salary of the county superintendent of education in each such county.

By Mr. Tuck (with notice and proof):

H. 259. To relieve the court of county commissioners, board of revenue or other like governing body of Greene County from responsibility of providing space and equipment to the county board of education and to provide in lieu thereof a cash payment.

By Mr. Downing:

H. 291. To amend Act No. 624, H. 1001, of the 1965 Regular Session (Acts of Alabama 1965, p. 1137), which applies only to certain counties classified on a population basis, and further regulates the filing for record of certain legal documents, makes unlawful the filing thereof unless certain endorsements are entered on such documents, provides that the falsification of such endorsements is a misdemeanor, and exempts judges of probate of the counties to which it applies from liability for errors in the performance of the duties imposed by the act if such errors are committed in good faith, so as to change the population span of the classification used in the act.

By Mr. Springer et al (with notice and proof):

H. 305. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 27, Township 16 North, Range 17 East, Montgomery County, Alabama.

By Mr. Springer et al (with notice and proof):

H. 306. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16 North, Range 18 East, Montgomery County, Alabama.

By Mr. Berryman (R):

H. 508. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

By Mr. Berryman (R):

H. 507. Relating to the office of sheriff in counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census; providing for an allowance for uniforms for the sheriff, his deputies and other employees of the sheriff's department in all such counties; authorizing the sheriff in all such counties to appoint two additional deputies sheriff; and providing for the compensation of such additional deputies.

By Mr. Berryman (R) (with notice and proof):

H. 506. Relating to Lawrence County; to authorize the coroner of such county to appoint an assistant coroner.

By Mr. Berryman (R) (with notice and proof):

H. 505. To amend Act No. 272, H. 688, Regular Session 1949 (Acts 1949, p. 399) which fixes the compensation of the coroner of Lawrence County; to provide further for the compensation of such coroner.

By Mr. Berryman (R) (with notice and proof):

H. 504. To amend Act No. 119, H. 24, of the Special Session of 1967 (Acts of 1967, p. 166) which relates to the government of Lawrence County and, among other things, establishes the court of county commissioners of Lawrence County and provides for the organization, powers, jurisdiction and duties of such court and for the qualifications, election and compensation of the members thereof, amending Section 2 of such act in order to provide for the nomination and the election of members of such court of county commissioners by the county at large.

By Mr. Harris:

S. 465. To amend Code of Alabama 1940, Title 37, Section 540, which relates to the power of certain cities, classified according to population, to abate or reduce assessments made for public improvements, in order to make this section applicable to other cities, also classified according to population.

By Mr. Adams (with notice and proof):

S. 457. To amend Section 6 of Act No. 217, H. 275, approved August 1, 1961, (Acts of Legislature, Regular Session of 1961, Volume 1, pp. 244, et seq.), An Act "To provide for and prescribe the form of government of all cities having populations of not less than 30,000 nor more than 31,500."

By Mr. Williams:

H. 457. Relating to counties having populations of not less than 36,600 nor more than 37,600 according to the most recent federal decennial census; to provide further for expense allowances for the judge of the county court in all such counties.

By Mr. Steagall:

H. 364. To repeal Act No. 76, H. 457, Regular Session 1965 (Acts 1965, p. 104), entitled "An Act relating to counties having populations of not less than 31,000 nor more than 32,000; to fix the compensation of superintendents of education of such counties."

By Mr. Steagall (with notice and proof):

H. 365. Relating to Dale County; providing further for the meetings of the county board of education, and repealing conflicting laws.

By Mr. Steagall (with notice and proof):

H. 366. Regulating the compensation of registrars of Dale County, and providing for payment of additional compensation by the county.

By Mr. Steagall (with notice and proof):

H. 367. To alter, rearrange and extend the boundary lines and corporate limits of the City of Ozark, Dale County, so as to annex certain territory to the city.

By Mr. Mays:

H. 372. To authorize county boards of education in all counties having a population of not less than 33,000 nor more than 35,000, to appoint the superintendent of education for such counties.

By Mr. Young:

H. 395. To regulate the compensation of the county superintendent of education of counties having a population of 10,800 to 12,000 according to the latest federal census; and repeal conflicting laws.

By Mr. Tuck (with notice and proof):

H. 415. To alter, rearrange and establish commissioners districts in Pickens County.

By Mr. Tuck (with notice and proof):

H. 416. Relating to Pickens County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

By Messrs. Manley and Pruitt:

H. 417. Providing expense allowances for members of the governing bodies of counties having populations of not less than 16,500 nor more than 17,500, to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

By Mr. Lemley:

H. 431. Relating to counties having population of not less than 25,400 nor more than 25,600 according to the most recent federal decennial census; providing for payment of in county travel expenses for county commissioners, payable from the county treasury.

By Messrs. Manley and Pruitt:

H. 350. Relating to all counties having populations of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; to prescribe the qualifications of the county superintendent of education in each such county; and to regulate his compensation and expense allowances.

By Mr. Stubbs (with notice and proof):

H. 323. Relating to the eighteenth Judicial Circuit; providing for separation of Jury by consent in the Circuit Courts of the counties composing such circuit.

By Mr. Stubbs (with notice and proof):

H. 322. To alter, redefine and reduce the corporate limits of the City of Leeds so as to exclude therefrom any and all terriotry lying within the boundaries of Shelby County.

By Messrs. Bassett and Hardin:

H. 319. To apply only in counties having populations of not less than 25,800 nor more than 26,700; to provide for the appointment of the County Superintendent of Education; to prescribe his qualifications, duties and term of office; and to repeal all conflicting laws.

By Messrs. Springer, Harris, McElhaney, Cameron and Hobbie (with notice and proof):

H. 307. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 5, Township 15 North, Range 18 East, Montgomery County, Alabama.

By Mr. Stubbs (with notice and proof):

H. 321. To provide that no municipality whose corporate limits do not lie within or extend into Shelby County shall have or exercise police jurisdiction or powers in said county.

By Mr. Jackson:

S. 452. Relating to counties having a population of not less than 32,200 nor more than 35,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 448. Relating to the office of the sheriff of Covington County; providing for the compensation of the chief deputy sheriff and for the appointment, number, duties and compensation of additional deputies; repealing conflicting laws and specifically repealing the following acts relating to the salary of the chief deputy sheriff and to the number and compensation of the additional deputies: Act No. 269, H. 615; Act No. 270, H. 616 and Act No.

382, H. 75 all of the Regular Session 1953 (Acts 1953, pp. 338; 339; 452); Act No. 46, H. 205 and Act No. 47, H. 206 both of the Regular Session 1957 (Acts 1957, p. 90).

By Mr. O'Bannon:

S. 436. To provide for the supplemental compensation of the Circuit Judges of the 31st Judicial Circuit, and providing that the supplemental compensation herein provided, shall be in lieu of any and all other salary supplements heretofore authorized.

By Mr. Lybrand:

H. 436. Relating to counties having populations of not less than 76,000 nor more than 96,000; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

By Messrs. Merrill, Lybrand and Burgess:

H. 433. Relating to counties having a population of not less than 76,000 and not more than 96,000 according to the last and any subsequent federal decennial census; to authorize county governing bodies to provide clerk hire allowances for the offices of the county solicitor or deputy district attorney.

By Mr. Tuck (with notice and proof):

H. 630. Relating to Greene County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

By Mr. Stubbs (with notice and proof):

H. 664. Relating to Shelby County; levying a tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in Shelby County, Alabama, for any use, gasoline, and diesel fuel as defined by this Act; providing for the collection and enforcement of the tax; and prescribing and restricting the use to which the proceeds thereof may be applied.

By Messrs. Bassett and Hardin (with notice and proof):

H. 662. Relating to Pike County; to provide for election of County Commissioners by the qualified electors of the county at large.

By Mr. Steagall:

H. 627. Relating to counties having populations of not less than 31,000 nor more than 32,000; fixing the compensation and providing an expense allowance for the county governing body; and to validate actual expenses heretofore paid for travel and other expenses incurred in the performance of duties outside the county.

By Mr. Steagall:

H. 626. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the City of Ozark and in the territory of Dale County exclusive of Ozark.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Melton and Garrett (with notice and proof):

H. 624. Relating to Conecuh County; providing further for the compensation of the deputy sheriffs of said county.

By Mr. Lemley (with notice and proof):

H. 611. To alter, rearrange, extend, and redefine the boundaries and corporate limits of the Town of Blountsville in Blount County.

By Mr. Lemley:

H. 610. Relating to counties having population of not less than 25,400 nor more than 25,600, according to the most recent federal decennial census; providing for the County Board of Education to set the annual salary of the Superintendent of the County Board of Education.

By Mr. Neville (with notice and proof):

H. 608. To alter, rearrange and extend the boundary lines and corporate limits of the town of Clayton in Barbour County.

By Messrs. Agee and McCorquodale (with notice and proof):

H. 591. To amend further Section 1 of Act No. 99, H. 437, Regular Session 1957, as amended, an act fixing the compensation of the county superintendent of education of Washington County, relative to the amount of compensation of said superintendent.

By Mr. Bassett (with notice and proof):

H. 549. Relating to the City of Troy in Pike County: To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

By Messrs. McDermott and Engel (with notice and proof):

S. 485. To amend an Act of the General Assembly of Alabama approved February 15, 1876, and entitled "An Act to Regulate Public Schools in the County of Mobile" as last amended by Act of the Legislature of Alabama approved September 14, 1963, by amending Section 5 thereof by including, in the powers of the Board of School Commissioners of Mobile County, the power to employ and pay guards, watchmen, security personnel, or other functionaries, by whatever name called, to preserve the grounds, school buildings and other structures of any character; that belong to or are in the possession of and are under the control of the Board of School Commissioners of Mobile County; from trespass, vandalism, theft, fire or damage of any character; whether or not of like kind with those just stated; and to invest the said guards, watchmen, security personnel, or other functionaries with the right to use such force as may be necessary in the performance of their duties under and pursuant to their employment under the authority of this Act; and the power to let any property which it may own in fee simple; and any property of which, though not owned by it, the Board shall have the statutory right and power of direction, management and control; for any term or period that may seem to the Board, in the exercise of a sound discretion, proper, not to exceed 99 years, provided however, that the Barton Academy Buildings and property are excepted from the

said power to let, and provided further that if the lease be for a term exceeding 50 years and the value of such property shall exceed $5,000 the lease, to be valid, shall receive the unanimous vote of the said Board and be approved by the Judge of Probate of Mobile County; and provided further that the restriction touching the necessity for unanimous vote of the Board and approval by the Probate Judge shall not apply to leases that may have been made prior to the first day of June.

By Mr. Garrett (with notice and proof):

H. 536. Relating to law enforcement in Conecuh County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

By Messrs. Springer, Cameron, Harris, Hobbie and McElhaney:

H. 540. Relating to counties having populations of not less than 150,000 nor more than 300,000; to provide further for the duties and authority of the judge of probate; and to prescribe further the manner of keeping records and recording documents, instruments and paper; to provide for the discontinuance of keeping copies or prints or records in well-bound books.

By Messrs. Springer, Cameron, Harris, Hobbie and McElhaney:

H. 541. Relating to counties having populations of not less than 150,000 nor more than 300,000; to provide further for the duties and authority of the judge of probate in such counties; to authorize and permit the discontinuance of keeping both "Minute Books" and "Final Record Books;" to authorize the probate judge to adopt and promulgate reasonable rules and regulations controlling public access to the system of recording and preserving records; to provide the manner of keeping records of the probate of wills; to prescribe the procedure for selling copies of certain records; and repealing conflicting laws.

By Mr. Radney (with notice and proof):

S. 470. To change the method of compensating certain officers of Tallapoosa County; placing such officers on a salary basis at the expiration of certain terms and providing for the operation of their offices on such basis; providing that this act shall be subject to the ratification of a certain amendment to the Constitution and the approval of the voters of Tallapoosa County voting thereon.

By Mr. Radney (with notice and proof):

S. 469. To alter, rearrange and extend the boundary of the City of Alexander City, Alabama, so as to include within the corporate limits thereof certain additional territory located in Section 22, Township 23 North, Range 21 East, Tallapoosa County, Alabama.

By Mr. Radney (with notice and proof):

S. 468. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Tallapoosa County.

This bill was read a second time at length as required by the Constitution.

By Mr. Radney (with notice and proof):

S. 467. Relating to Tallapoosa County; to abolish the office of county treasurer and to provide for the selection of a county depository, to repeal Act No. 83, H. 266, Regular Session 1935 (Local Acts 1935, p. 19) which creates the office of county treasurer for Tallapoosa County.

By Mr. Carr:

S. 466. Relating to counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; to amend Act No. 628, H. 820, Regular Session 1967 (Acts 1967, p. 1431), an act which provides further for clerk hire allowances for certain county officers, and repeals conflicting laws, amending such act in relation to the clerk hire allowance for the circuit clerk.

By Mr. Berryman (R):

H. 651. To regulate the compensation of county superintendents of education in counties having populations of not less than 22,500 nor more than 24,550.

By Mr. Berryman (R) (with notice and proof):

H. 650. To alter, rearrange and extend the boundary lines and corporate limits of the town of Town Creek in Lawrence County.

By Mr. Berryman (R):

H. 509. To propose an amendment to the Constitution of Alabama relating to Lawrence County that would empower each school district in said county, when authorized at an election therein, to levy and collect a special five mill district school tax on the assessed valuation of the taxable property in such district for public school purposes in such district, and conferring upon the county board of education of said county the power under some circumstances and without an election to change the boundaries of any school district in said county or consolidate any two or more school districts therein.

The above Bill was read a second time at length as required by the Constitution.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Jackson (with amendment):

S. 293. Relating to counties having a population of not less than 33,000 nor more than 35,000; to authorize the boards of registrars in such counties to meet an additional ten days per year and to be paid a travel allowance.

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Turner:

S. 463. To authorize county governing bodies to expend county funds to purchase, erect and maintain flagpoles and flags for display on courthouse premises.

By Messrs. Pelham and Lindsey:

S. 505. To amend Act No. 2, H. 47 of the Regular Session of 1945 (Gen. Acts 1945, p. 20), which levies and provides for the collection and distribution of a severance tax on oil, gas and other hydrocarbons, so as to preclude municipalities in the State from levying any tax, license or other charge or fee on the production, ownership, selling, buying, storing or marketing of crude oil or natural gas or on the operation or maintenance of any plant, facility or any equipment necessary or convenient to the production, ownership, storage, sale, purchase, marketing or transportation of crude oil or natural gas; and to authorize and provide for the payment, in the discretion of the Governor, to municipalities in which oil or gas wells are located or a portion of the severance tax levied by said Act No. 2.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Pierce:

S. 286. To repeal Act No. 293, H. 35, approved July 26, 1951, an act imposing extra, new and additional duties upon the commissioner of agriculture and industries in relation to or connected with the department of corrections and institutions, eleemosynary institutions, and the state highway department (Acts 1950–51, v. 1, p. 585).

RESOLUTIONS

Mr. McCarley offered the following Senate Joint Resolution, to-wit:

S. J. R. 27. WHEREAS there is a definite need for study and revision of the laws of Alabama relative to military affairs; and

WHEREAS such a study and revision should be conducted simultaneously by both houses; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be a joint interim military committee, which shall be composed of the chairman of the Senate military committee, the chairman of the House military affairs committee, one member from each house appointed by the presiding officer of each house, and three individuals appointed by the Governor. No member shall be presently connected with the state miliatry structure in any way. The members shall select a chairman and vice-chairman from among their own number and shall meet at the call of the chairman or at the request of any two members of the committee. Members of the committee who are members of the Legislature shall receive the regular legislative compensation and allowances for each day they serve, and members who are not in the Legislature shall be compensated in an equal amount. The committee may use such clerical help as is available to members of the Legislature. Compensation, allowances and expenses shall be paid from funds appropriated for the use of the

Legislature, but not to exceed $5,000.00. It shall be the duty of the committee to make a complete and detailed study of the military structure within the state, and to recommend any revision of laws which would serve to up date and modernize said structure. The committee shall submit a report to the next regular legislative session which shall outline such revisions and shall make any recommendation that the committee feels would properly achieve its goals.

Which was read and referred to the Standing Committee on Rules.

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S.R. 28. RESOLVED BY THE SENATE That the following Bills shall be the paramount and continuing order of business for the Thirteenth Legislative Day only:

All Local Bills and all uncontested General Bills with local application as they appear on the Calendar, and

Bill No.	Page
SB 170	7
SB 386	31
SB 311	36
SB 8	4
SB 190	27
SB 212	34
SB 201	20
SB 478	52
SB 479	52
SB 476	51
SB 128	31
SB 48	31
SB 109	33
SB 337	32
SB 278	34
SB 120	2
SB 121	3
SB 122	3
SB 378	49
SB 15	4
SB 5	9

Mr. Cooper offered the following amendment to the Resolution, S R 28, to-wit:

AMENDMENT TO S. R. 28

Amend SR 28 by striking therefrom S. B. 8 on page 4 of the calendar.

On motion of Mr. Harris, said amendment was laid on the table.

Yeas 17; Nays 12.

Yeas:

Messrs.:	Dominick	Harris	Oden
Adams	Folsom	Hawkins	Pierce
Albea	Giles	McCarley	Stone
Bailes	Gilmore	Morrow	Torbert
Clark	Givhan		—17

Nays:

Messrs.:	Goodwyn	Lolley	Pelham
Childs	Leonard	McDermott	Skidmore
Cooper	Lindsey	Nabors	Turner
Engel			—12

Mr. Cooper offered the following substitute for the Resolution, S. R. 28 to-wit:

SUBSTITUTE FOR S. R. 28

Amend for the Thirteenth Legislative Day to read as follows:

"RESOLVED BY THE SENATE That the following Bills shall be the paramount and continuing order of business for the Thirteenth Legislative Day only:

"All Local Bills and all uncontested General Bills with local application as they appear on the Calendar, and

Bill No.	Page
SB 170	7
SB 386	31
SB 311	36
SB 190	27
SB 212	34
SB 201	20
SB 478	52
SB 479	52
SB 476	51
SB 128	31
SB 48	31
SB 109	33
SB 337	32
SB 278	34

SB 120	2
SB 121	3
SB 122	3
SB 378	49
SB 15	4
SB 5	9
SB 8	4"

BILLS ON THIRD READING

The Bill:

H. 245. To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payment, distribution and use of the proceeds, so as to provide further for the use of the proceeds of such taxes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lolley	Oden	
Adams	Gilmore	McCarley	Pelham	
Albea	Givhan	McDermott	Pierce	
Bailes	Goodwyn	Morrow	Skidmore	
Branyon	Harris	Nabors	Stone	
Childs	Leonard	O'Bannon	Torbert	
Clark	Lindsey			—25

Nays: —0

The Bill:

H. 243. To amend further Section 7 of Act No. 13, H. 5, First Special Session 1955 (Acts 1955, p. 37), an act relating to the reorganization of the government of Cullman County, so as to provide further for the office of the resident county engineer.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lolley	Oden	
Bailes	Gilmore	McCarley	Skidmore	
Branyon	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

H. 242. To provide for the compensation of jurors in Cullman County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Adams	Folsom	Morrow	Skidmore	
Albea	Goodwyn	Nabors	Stone	
Bailes	Harris	O'Bannon	Torbert	
Branyon	Hawkins	Oden	Turner	
Childs	Jackson	Pelham	Vacca	
Clark	Leonard			—25

Nays: —0

The Bill:

H. 241. Relating to the compensation of election officials in Cullman County; repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Pierce	
Adams	Giles	Lolley	Skidmore	
Albea	Gilmore	McCarley	Stone	
Childs	Givhan	McDermott	Torbert	
Clark	Goodwyn	Oden	Turner	
Cooper	Harris	Pelham	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 589. Relating to counties having a population of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census; to grant an allowance for clerical help to the circuit clerks in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lolley	Pelham	
Albea	Givhan	McCarley	Pierce	
Bailes	Goodwyn	McDermott	Skidmore	
Branyon	Harris	Morrow	Stone	
Childs	Hawkins	Nabors	Torbert	
Clark	Leonard	O'Bannon	Turner	
Cooper	Lindsey			—25

Nays: —0

The Bill:

H. 41. To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Oden	
Adams	Folsom	McCarley	Skidmore	
Bailes	Giles	McDermott	Stone	
Branyon	Gilmore	Morrow	Torbert	
Clark	Givhan	Nabors	Turner	
Cooper	Harris	O'Bannon	Vacca	
Dominick	Hawkins			—25

Nays: —0

The Bill:

H. 39. Proposing an amendment to the Constitution of Alabama providing for a special school tax in school districts number 1 and 2, Covington County.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	O'Bannon	
Adams	Folsom	Lolley	Pelham	
Albea	Giles	McCarley	Pierce	
Bailes	Gilmore	McDermott	Skidmore	
Branyon	Givhan	Morrow	Stone	
Childs	Goodwyn	Nabors	Turner	
Clark	Leonard			—25

Nays: —0

The Bill:

H. 40. To regulate the compensation and allowances of members of the board of education of Covington County and provide for the payment thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	O'Bannon	
Adams	Engel	Jackson	Oden	
Albea	Folsom	Leonard	Pelham	
Bailes	Giles	Lindsey	Pierce	
Childs	Gilmore	Lolley	Turner	
Clark	Givhan	Nabors	Vacca	
Cooper	Harris			—25

Nays: —0

The Bill:

H. 75. To provide for the compensation of jurors in Geneva County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lolley	Oden	
Branyon	Givhan	McCarley	Pelham	
Childs	Goodwyn	McDermott	Pierce	
Clark	Harris	Morrow	Skidmore	
Cooper	Hawkins	Nabors	Stone	
Dominick	Jackson	O'Bannon	Turner	
Giles	Lindsey			—25

Nays: —0

The Bill:

H. 76. Relating to Geneva County; regulating and providing for the payment of compensation of election officers.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pelham	
Adams	Givhan	McDermott	Pierce	
Albea	Goodwyn	Morrow	Skidmore	
Bailes	Harris	Nabors	Stone	
Branyon	Hawkins	O'Bannon	Torbert	
Cooper	Jackson	Oden	Turner	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 77. To amend Act No. 207, H. 575, approved August 13, 1957, which authorizes and requires the court of county commissioners, board of revenue or other like governing body of Geneva County to provide clerk-hire allowances for the clerk of the circuit court, the tax assessor, the tax collector, and sheriff of Geneva County, so as to increase the amount of such allowances.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	McDermott	Pierce	
Bailes	Gilmore	Morrow	Skidmore	
Branyon	Givhan	Nabors	Stone	
Childs	Goodwyn	O'Bannon	Torbert	
Clark	Harris	Oden	Turner	
Cooper	Leonard	Pelham	Vacca	
Dominick	Lolley			—25

Nays: —0

The Bill:

H. 202. Relating to all counties having a population of not less than 100,000 nor more than 115,000 according to the most recent federal decennial census; fixing the compensation of election officers in said counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Adams	Folsom	Lindsey	Pierce	
Albea	Givhan	Lolley	Skidmore	
Childs	Goodwyn	McCarley	Torbert	
Clark	Harris	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson			—25
Nays:				—0

The Bill:

H. 208. To provide for the selection of textbooks and instructional materials for use in the public schools of Bibb County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Oden	
Adams	Folsom	Lindsey	Pelham	
Albea	Giles	Lolley	Pierce	
Bailes	Givhan	McCarley	Skidmore	
Branyon	Harris	McDermott	Stone	
Cooper	Hawkins	Morrow	Vacca	
Dominick	Jackson			—25
Nays:				—0

The Bill:

H. 363. Relating to Dale County; providing further for the compensation of superintendent of education; repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McDermott	Pierce	
Adams	Givhan	Morrow	Skidmore	
Branyon	Goodwyn	Nabors	Stone	
Childs	Harris	O'Bannon	Torbert	
Clark	Hawkins	Oden	Turner	
Cooper	Jackson	Pelham	Vacca	
Dominick	McCarley			—25
Nays:				—0

The Bill:

H. 326. Relating to Russell County: To create and establish in Russell County a court with county-wide limited jurisdiction of certain criminal cases and civil actions at law to be known as the "Court of Common Pleas of Russel County," defining its juristiction, providing it with officers and prescribing their powers, duties, compensation, terms of office, and the manner of their selection, appointment or election; regulating its procedure and process and the return of warrants thereto; abolishing the existing county court of Russell County, and providing for the transfer and trial of cases pending in the abolished court to the newly created Court of Common Pleas of Russell County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	O'Bannon	
Adams	Folsom	Lolley	Oden	
Albea	Giles	McCarley	Pelham	
Bailes	Gilmore	McDermott	Pierce	
Branyon	Givhan	Morrow	Stone	
Clark	Jackson	Nabors	Torbert	
Dominick	Leonard			—25

Nays: —0

The Bill:

S. 442. Relating to counties having a population of not less than 16,500 nor more than 17,500; providing for direct distribution to municipalities of their proportionate share of gasoline tax proceeds allocated for municipalities in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Pierce	
Bailes	Giles	Lolley	Skidmore	
Branyon	Givhan	Nabors	Stone	
Childs	Harris	O'Bannon	Torbert	
Clark	Hawkins	Oden	Turner	
Cooper	Jackson	Pelham	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 249. Relating to Dallas County; to authorize the county governing body of such county to contribute county funds towards the construction of a Y. M. C. A. building.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Oden	
Adams	Engel	McCarley	Pelham	
Albea	Folsom	McDermott	Pierce	
Bailes	Giles	Morrow	Torbert	
Branyon	Givhan	Nabors	Turner	
Clark	Harris	O'Bannon	Vacca	
Cooper	Hawkins			—25
Nays:				—0

The Bill:

H. 250. To amend Section 1 of an act approved February 20, 1931, enlarging the powers of the court of county revenues of Dallas County (Act No. 51, S. 12, Local Acts of Alabama 1931, p. 15) so as to change the meeting date of regular sessions of the court from the first Monday of each month to the second Monday.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Lindsey	Pierce	
Adams	Engel	Lolley	Skidmore	
Albea	Folsom	McCarley	Stone	
Bailes	Giles	McDermott	Torbert	
Branyon	Givhan	Oden	Turner	
Childs	Jackson	Pelham	Vacca	
Clark	Leonard			—25
Nays:				—0

FURTHER CONSIDERATION OF S. R. 28

The Senate proceeded to further consideration of the Resolution, S. R. 28. The question was on the substitute offered by Mr. Cooper.

And said substitute was then adopted by the Senate.

Mr. Skidmore offered the following amendment to the Resolution, S. R. 28, as amended by the substitute, to-wit:

AMENDMENT TO S. R. 28 AS AMENDED BY SUBSTITUTE

Amend S. R. 28 by striking therefrom S. B. 170.

Which was adopted.

And said Resolution, S. R. 28, as thus amended, was then adopted by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Drs. J. Paul Jones, James N. Sussex, Hugh E. Gray, Robert Parker, Messrs. Robert K. Wilson and Carl Boley as members of the Alabama Mental Health Board.

On motion of Mr. Cooper, said appointments were then confirmed by the Senate.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Oden	
Adams	Folsom	Lindsey	Pelham	
Albea	Giles	Lolley	Pierce	
Bailes	Gilmore	McCarley	Skidmore	
Branyon	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Turner	
Clark	Harris	Nabors	Vacca	
Cooper	Hawkins			—29

Nays: —0

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Messrs. James E. Caldwell, Dewitt Reams, and Frank V. Potts as members of the Alabama Alcoholic Beverage Control Board.

On motion of Mr. Lolley, the appointment of Mr. Caldwell was confirmed by the Senate.

Yeas 25; Nays 4.

Yeas:

Messrs.:	Folsom	Lindsey	Pelham	
Adams	Giles	Lolley	Pierce	
Albea	Gilmore	McCarley	Skidmore	
Branyon	Givhan	McDermott	Stone	
Clark	Goodwyn	Nabors	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays:

Messrs.:	Childs	Hawkins	Morrow	
Bailes				—4

On motion of Mr. McDermott, the appointment of Mr. Reams was confirmed by the Senate.

Yeas 25; Nays 5.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Adams	Folsom	Lindsey	Pierce	
Albea	Giles	Lolley	Skidmore	
Branyon	Gilmore	McCarley	Stone	
Childs	Givhan	McDermott	Turner	
Clark	Harris	Nabors	Vacca	
Cooper	Jackson			—25

Nays:

Messrs.:	Goodwyn	Morrow	Oden	
Bailes	Hawkins			—5

On motion of Mr. Cooper, the appointment of Mr. Potts was confirmed by the Senate.

Yeas 22; Nays 7.

Yeas:

Messrs.:	Folsom	Lolley	Pierce	
Adams	Giles	McCarley	Skidmore	
Albea	Gilmore	McDermott	Stone	
Branyon	Harris	Nabors	Turner	
Clark	Jackson	O'Bannon	Vacca	
Cooper	Lindsey	Pelham		—22

Nays:

Messrs.:	Childs	Goodwyn	Morrow	
Bailes	Dominick	Hawkins	Oden	
				—7

SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount and continuing order of business for today, the first of which was the Bill:

S. 386. To amend Section 91 of Title 36 of the Code of Alabama of 1940, as amended, which authorizes the director of the highway department to issue special permits for movement of certain oversize vehicles; so as to further provide for fees for issuance of said permits; and to repeal Section 91 (1) of Title 36 of the Code of Alabama of 1940, as amended.

The Standing Committee on Public Roads and Highways reported the following substitute for the Bill, S. B. 386, to-wit:

SUBSTITUTE FOR S.B. 386

A BILL
TO BE ENTITLED
AN ACT

To amend Section 91 of Title 36 of Code of Alabama of 1940, as amended, which authorizes the director of the highway department to issue special permits for movement of certain oversize vehicles; so as to further provide for fees for issuance of said permits; and to repeal Section 91 (1) of Title 36 of the Code of Alabama of 1940, as amended.

Be it Enacted by the Legislature of Alabama:

Section 1. Section 91 of Title 36 of the Code of Alabama of 1940, as amended, be and the same is hereby further amended to read as follows:

"Section 91. Director of the highway department may issue permits for movement of certain oversized vehicles over state highways.

(a) The director of the highway department, with respect to highways under his jurisdiction, may, in his discretion, upon application and good cause shown therefor that it is in the public interest, issue special permits authorizing the applicant to operate or move a vehicle whose size, weight, or load cannot reasonably be dismantled, exceeding the maximum specified in Section 89, Title 36, Code of Alabama of 1940, as amended. In no event will a mobile home be permitted on state highways exceeding twelve feet in width or an overall length including the towing vehicle and mobile home of eighty feet. The highway director may designate the routes to be travelled and require approved escorts. There shall be no deviation from the approved routes shown on permit. The permit shall identify the vehicle to be operated or moved and the approved route to be travelled.

(b) The director of the highway department is authorized to issue or withhold such permit at his discretion, or if such permit is issued to limit or prescribe conditions of operation of such vehicle and may require such undertaking or other security as may be deemed necessary to compensate for any injury to any highway or bridge.

(c) The director of the highway department is authorized to promulgate rules and regulations concerning the issuance of such permits, and to charge a fee for issuance thereof, which rules, regulations and fees shall have the force and effect of law.

(d) The original permit shall be carried in the vehicle to which it refers and shall be open to inspection by any law enforcement officer or authorized agent of the authority granting such permit, and no person shall violate any of the terms or conditions of such special permit.

(e) The movement of vehicles covered by said special permit shall be during the hours of daylight from Monday to 12:00 NOON on Saturday with no movement on Saturday afternoon, Sundays or national holidays. For the purpose of this section, daylight shall mean one-half hour before sunrise to one-half hour after sunset.

(f) All fees collected for the issuance of special permits provided for under this Act shall be paid into the state treasury to be credited to the public road and bridge fund."

Section 2. Section 91 (1) of Title 36, Code of Alabama of 1940, as amended, is hereby repealed upon the passage and enactment of this Act or its otherwise becoming law.

Section 3. All other laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. This Act shall become effective on October 1, 1969.

On motion of Mr. Oden, said substitute for the Bill, S. B. 386, was laid on the table.

Mr. Oden offered the following substitute for the Bill, S. B. 386, to-wit:

SUBSTITUTE FOR S. B. NO. 386

A BILL
TO BE ENTITLED
AN ACT

To amend Section 91 of Title 36 of the Code of Alabama of 1940, as amended, which authorizes the director of the highway department to issue

permits for movement of certain oversize vehicles; so as to further provide for fees for issuance of said permits; and to repeal Section 91(1) of Title 36 of the Code of Alabama of 1940, as amended.

Be it Enacted by the Legislature of Alabama:

Section 1. Section 91 of Title 36 of the Code of Alabama of 1940, as amended, be and the same is hereby further amended to read as follows:

"Section 91. The director of the highway department may issue permits for movement of certain oversized vehicles over state highways.

(a) The director of the highway department may issue permits to the applicant therefor, in isolated cases only, for movement of oversize, overweight, or over length commodities, which can not be reasonably dismantled, and for the operation of such super-heavy or oversized motor trucks, semi-trailers, or mobile homes, whose gross weight, including loads whose height, width or length may exceed the limits prescribed in this chapter, or which in other respects fail to comply with the requirements of this chapter, as may be reasonably necessary for the transportation thereof. Provided, however, that house trailers or mobile homes permitted to move under this chapter shall not exceed a total outside width of 12 feet or an overall length, including the towing vehicle, of 80 feet. Permits shall be issued and may be renewed upon such terms and conditions, in the interest of public safety and preservation of the highways, as the director of the highway department may in his discretion require, and he may designate the route over which such commodities may be transported, and hours of movement, provided that no county roads are included in said route. He may, in his discretion, require as a condition to the issuance of any such permit that the applicant give bond, with or without surety, to indemnify the state against damage to roads or bridges resulting from the use thereof by the applicant. The movement of motor trucks, tractors, semi-trailer, or mobile homes in accordance with the terms of such permit shall not constitute a violation of the provisions of this chapter, provided the operator thereof shall have said permit in his possession.

(b) The highway director may require approved escorts and is authorized to issue or withhold such permit at his discretion, or if such permit is issued to limit or prescribe conditions of operation of such vehicle or vehicles. There shall be no deviation from the approved routes shown on permit. The permit shall identify the vehicle to be operated or moved and the approved route to be travelled.

(c) The director of the highway department is authorized to promulgate rules and regulations concerning the issuance of such permits, and to charge a fee for issuance thereof, which rules, regulations and fees shall have the force and affect of law.

(d) The original permit shall be carried in the vehicle to which it refers and shall be open to inspection by any law enforcement officer or authorized agent of the authority granting such permit, and no person shall violate any of the terms or conditions of such permit.

(e) The movement of vehicles covered by said permit shall be during the hours of daylight from Monday to 12:00 NOON on Saturaday with no movement on Saturday afternoon, Sundays or national holidays. For the purpose of this section, daylight shall mean one-half hour before sunrise to one-half hour after sunset. Provided, however, that the Director may issue

permits for the movement of emergency vehicles during any day or hour of the day necessary for the maintenance of public utilities.

(f) All fees collected for the issuance of permits provided for under this Act shall be paid into the state treasury to be credited to the public road and bridge fund."

Section 2. Section 91(1) of Title 36, Code of Alabama of 1940, as amended, as finally enacted and amended by Act No. 433, Acts of Alabama, 1967 Regular Session, approved September 7, 1967, is hereby repealed upon the passage and enactment of this Act or its otherwise becoming law.

Section 3. All other laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. This Act shall become effective on October 1, 1969.

Mr. Bailes moved that further consideration of the Bill, S. B. 386, and pending substitute, be postponed until the next Legislative Day. On motion of Mr. Oden, the motion to postpone was laid on the table.

Yeas 19; Nays 9.

Yeas:

Messrs.:	Folsom	Jackson	Morrow	
Albea	Giles	Leonard	Oden	
Branyon	Gilmore	Lindsey	Skidmore	
Clark	Givhan	Lolley	Stone	
Cooper	Goodwyn	McDermott	Vacca	
				—19

Nays:

Messrs.:	Dominick	McCarley	Pierce	
Bailes	Harris	Nabors	Turner	
Childs	Hawkins			—9

Mr. Turner moved that the substitute offered by Mr. Oden for the Bill, S. B. 386, be laid on the table, which motion was lost.

Yeas 6; Nays 22.

Yeas:

Messrs.:	Bailes	Cooper	Turner	
Adams	Childs	Jackson		—6

Nays:

Messrs.:	Giles	Leonard	O'Bannon	
Albea	Gilmore	Lindsey	Oden	
Branyon	Givhan	McCarley	Pierce	
Clark	Goodwyn	McDermott	Skidmore	
Dominick	Harris	Morrow	Vacca	
Folsom	Hawkins	Nabors		—22

And said substitute for the Bill, S. B. 386, was then adopted by the Senate.

Yeas 24; Nays 4.

Yeas:

Messrs.:	Gilmore	Leonard	Nabors	
Albea	Givhan	Lindsey	O'Bannon	
Clark	Goodwyn	Lolley	Oden	
Cooper	Harris	McCarley	Pierce	
Dominick	Hawkins	McDermott	Skidmore	
Folsom	Jackson	Morrow	Vacca	
Giles				—24

Nays:

Messrs.:	Bailes	Childs	Turner	
Adams				—4

Mr. Bailes offered the following amendment to the Bill, S. B. 386, as amended by the substitute, to-wit:

AMENDMENT TO S. B. 386, AS AMENDED

In "Section 91." add at the end thereof the following subparagraph (g):

(g) Nothing contained in this Act shall in any way be construed to permit, authorize or sanction any multiple trailer, or double trailer, or any tandem trailer on the highways of the State of Alabama.

Mr. Turner moved that said amendment be laid on the table, which motion was lost.

Yeas 7; Nays 15.

Yeas:

Messrs.:	Giles	Lindsey	Skidmore	
Childs	Goodwyn	O'Bannon	Turner	
				—7

Nays:

Messrs.:	Dominick	Leonard	Nabors	
Albea	Folsom	McCarley	Pierce	
Bailes	Gilmore	McDermott	Torbert	
Branyon	Hawkins	Morrow	Vacca	
				—15

And said amendment to the Bill, S. B. 386, as amended, was then adopted by the Senate.

Yeas 22; Nays 3.

Yeas:

Messrs.:	Folsom	Lolley	Oden	
Albea	Giles	McCarley	Pierce	
Bailes	Givhan	McDermott	Skidmore	
Branyon	Harris	Morrow	Torbert	
Cooper	Leonard	Nabors	Vacca	
Dominick	Lindsey	O'Bannon		—22

Nays:

Messrs.:	Childs	Goodwyn	Turner	
				—3

Mr. Harris offered the following amendment to the Bill, S. B. 386, as amended, to-wit:

AMENDMENT TO S. B. 386

Amend Section 1 (b) by deleting therefrom the word "may" where such appears between the words "director" and "require", and substituting therefor the word "shall".

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 55. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today they adjourn to meet again on Tuesday, June 24, 1969, and when they adjourn on Tuesday, June 24, 1969, they adjourn to meet again on Wednesday, June 25, 1969, and when they adjourn on Wednesday, June 25, 1969, they adjourn to meet again on Tuesday, July 8, 1969.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Goodwyn, the Rules were suspended and the Resolution, HJR 55, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

POINT OF PERSONAL PRIVILEGE

Messrs. Branyon, McCarley, Albea, Torbert, Pierce, Nabors, Gilmore, Clark, Folsom, Vacca, Hawkins, Morrow, Bailes, Cooper, Childs, and Dominick requested that the Journal show that they opposed the adoption of the above Resolution, HJR 55.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Collins (C), Collins (W), Wood, Downing, Lyons, Nettles and Perloff:

H. J. R. 56. WHEREAS, Curtis Adrian Gentry, Jr., a native of Mobile, Alabama departed this life on the 29th day of December, 1968, and

WHEREAS, Mr. Gentry was for many years active in the political, civic and religious life of Chickasaw, Alabama, and more recently of Destin, Florida, and

WHEREAS, Mr. Gentry will be sorely missed by his family and friends,

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring, That this body mourns the death of Curtis Adrian Gentry, Jr. and extends its condolence to his widow, Mildred Delchamps Gentry and his children, Patricia G. Edington, Virginia G. Rust and Curtis Adrian Gentry, III.

BE IT FURTHER RESOLVED, That a copy of this Resolution be spread upon the pages of the Journal of the House of Representatives and a copy sent to the family of Mr. Gentry.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McDermott, the Rules were suspended and the Resolution, HJR 56, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Brassell:

H. 701. To abolish the public highway and traffic fund in the county treasuries of all counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; and to provide for the transfer of any monies therein to the general fund in each of such counties and for the deposit in such general fund of such counties of all monies dedicated to construction, maintenance and repair of roads and bridges or to traffic control, hereafter accruing to such counties.

Also:

By Mr. Brassell:

H. 702. Relating to all counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; further regulating the number and compensation of deputies and other employees of the sheriffs in such counties.

Also:

By Mr. Brassell:

H. 703. Relating to cities having populations of not less than 20,500 nor more than 28,000; providing an expense allowance for members of the governing body of such cities.

Also:

By Mr. Young:

H. 707. A bill relating to all counties having populations of not less than 19,000 nor more than 19,500 according to the most recent federal decennial census; further regulating the salary of the members of the tax equilization board, board of registration, and jury commission in each such county.

Also:

By Mr. Young:

H. 708. A bill relating to all counties having populations of not less than 10,800 nor more than 12,000 according to the most recent federal decennial census; further regulating the salary of the members of the tax equalization board, board of registration, and jury commission in each such county.

Also:

By Mr. Collier:

H. 726. Relating to Elmore County: abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF ELMORE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Elmore County: abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established in Elmore County, a court of record to be known as and called the Elmore County Court, which Court shall have and exercise civil and criminal jurisdiction as hereinafter provided.

Section 2. The Elmore County Court shall have civil jurisdiction in all civil matters of which justices of the peace of Elmore County have jurisdiction under the general laws of the State of Alabama, concurrently

with the several justices of the peace in the county; and in addition thereto, the court shall have jurisdiction, concurrently with the circuit court of Elmore County, of all matters, suits, and actions at law which are in amount more than the jurisdiction of the justices of the peace, and not more than $1,200, and when the value of the property sued for in a suit in detinue is not more than $1,200; provided, however, that the court shall not have and exercise civil jurisdiction of actions in the nature of ejectment, and the court shall have original jurisdiction, concurrently with the circuit court of Elmore County, of all misdemeanors committed in the county. It shall have preliminary jurisdiction of all felonies, and of bastardy and of other criminal and quasi-criminal proceedings cognizable before justice of the peace courts. The court shall have jurisdiction of all matters, suits, and actions cognizable before a juvenile court; and of all cases of desertion and non-support arising under the provisions of Article 3, Chapter 4, Title 34, Code of Alabama (1940). The jurisdiction of the Elmore County Law and Juvenile Court, as hereinabove provided, shall be coextensive with the county. The court may suspend execution of sentence and place on probation any person convicted of a misdemeanor, the same as the circuit court, and the period of probation or suspension of execution of sentence shall be determined by the court.

Section 3. The judge of the court shall have been a resident in and a qualified elector of the county for at least two years at the time of his appointment or election, and shall reside in the county during his continuance in office. He shall be at least 25 years of age, learned in the law and shall have been admitted to the practice of law in this State. He shall not during his term of office act as attorney in any case or matter that has previously been in or is in this court, but may practice in all other matters and all other courts. This act shall become a law and be in full force and effect upon its passage and approval by the Governor, but it shall not affect the term of office of the present judge of the Elmore County Law & Juvenile Court or his successor in office. Such incumbent judge shall be the judge of the court created and established herein until the first Monday after the second Tuesday in January, 1975, and until his successor is elected and qualified as now required by law, or as provided in this act. He shall perform the duties, and receive the compensation as herein provided for the judge of this court.

Section 4. The term of office of the judge of this court, who shall be elected by the qualified electors of the county, at the general election for state and county officers in the year 1974 and every six years thereafter, shall be for six years from the first Monday after the second Tuesday in January, 1975, and until his successor is elected or appointed and qualified. Upon the passage and approval of this act, or upon its otherwise becoming a law, the Governor shall issue a commission to the incumbent judge of the Elmore County Law & Juvenile Court at the time this act becomes effective as judge of the Elmore County Court, as herein provided; and after the election of the judge of this court as herein provided the Governor shall likewise issue to him a commission as such judge. Before entering upon the duties of his office, the judge of this court shall take the oath of office in the form required by law to be taken by judges of the circuit court of this State and he shall be removed from office for the same causes and in the same manner as is now or may be hereafter provided for removal of circuit judges. In the event of the vacancy caused by the resignation, removal or death of the judge, or for other causes, the Governor shall fill the office by appointment and the person so appointed shall hold office as provided for in Section 158 of the Constitution of this State. In case the judge shall be unable at any time to discharge the duties of his office by reason of sickness, disqualifications, or other causes, the judge shall make, or cause to be made by the clerk thereof, when the facts warrant it, an order setting forth the reasons of his inability to sit in the court, and the order shall be

spread on the minutes of the court. Thereupon, the clerk of this court shall designate and appoint in writing, which appointment shall be spread on the minutes of this court, some practicing attorney of the county or State of Alabama who is learned in the law, as special judge thereof, and the person so designated and appointed shall perform all of the duties and exercise all of the powers and authority of the judge of this court, and shall hold said office until the regular judge thereof shall resume his duties. The said special judge shall receive not less than $5.00 nor more than $50.00 as compensation for his services for each day he serves as judge of this court, said compensation to be fixed by the clerk of said court payable in the same manner and from the same funds as the compensation of the regular judge is paid. The regular judge of this court shall have authority to administer oaths, and take acknowledgements and affidavits in all cases, and to solemnize marriages, the same as circuit judges of this State.

Section 5. The judge of the Elmore County Court shall receive a salary of Ten thousand dollars ($10,000) per annum, payable in equal monthly installments out of the general fund of the county, upon the warrant of the probate judge. Such judge is hereby authorized and directed to issue monthly warrants which shall be a preferred claim against the general fund.

Section 6. The clerk of the Circuit court of the county shall act and be clerk of the Elmore County Court, hereby established, and he shall keep a civil and criminal docket of all cases brought before the court, and all of the minutes and records as are now required by law to be kept by clerks of the circuit courts, and he shall have authority to issue all necessary summonses and complaints as to all cases filed in the court, and all other civil and criminal process which clerks of the circuit courts are now required or empowered by law to issue. He shall have authority to swear witnesses at the trial of all cases in the court. It shall be the duty of the clerk to tax and collect in each civil and criminal case in the Elmore County Court the same costs and fees for services of the solicitor, the clerk, the sheriff, and the witnesses as are now allowed by law to be taxed, charged, and collected in the circuit court of this State, which he shall disburse as is now required of said fees in the circuit courts of Elmore County, except as may be hereinafter provided. It shall also be the duty to collect, or receive from the sheriff, all fines and forfeitures in the court, which together with the solicitor's fees taxed and collected in the court, he shall pay into the fine and forfeiture fund of the county, in the same manner as now provided for the disposition of such funds in the circuit court of Elmore County. The clerk shall tax in each civil case, except when the amount involved is less that $101.00, a trial fee of two dollars and shall tax in all criminal cases a trial fee as hereinafter provided, to be collected as all other costs are collected, and when collected, to be paid into and become a part of the general fund of the county. The court costs and fees in all prosecutions in the Elmore County Court for violations of the prohibition laws, for carrying a concealed weapon, and for petit larceny or offenses of petit larceny grade, adultery, and assault with a weapon, shall be the same as those prescribed for county courts by the general laws of the state, except that the trial tax in such cases shall be three dollars. The court costs and fees for misdemeanors other than violation of the prohibition laws, carrying a concealed weapon, petit larceny or offenses punishable like petit larceny, adultery, and assault with a weapon, in bastardy proceedings, in peace proceedings, and in preliminary examinations shall be the same as those prescribed by the general laws of the state; provided, that in all such cases the trial tax shall be one dollar and no solicitor's fee shall be taxed as a part of the cost. Witness fees taxed and collected in civil cases shall be retained by the clerk and paid over to any witness entitled to such fee, who in not more than five

days proves his attendance upon the court in any case therein pending by obtaining a witness certificate, and who presents to the clerk such certificate for payment within ninety days after the payment of cost in the cases in which the certificates were issued. No costs shall be taxed in any civil case for witness fees of any witness who fails to prove his attendance as a witness and to obtain a witness certificate within the five day period prescribed. In case any civil witness certificate is issued, but not presented for payment within ninety days after the payment of costs in the case in which the certificate was issued, the witness fee shall revert to the general fund of the county. The clerk shall pay to the county treasurer, for the use of the general fund, all such reverted fees in his hands on the first Monday of each month. State witness fees in criminal cases shall be taxed, collected, paid into, and disbursed from the fine and forfeiture fund of the county. Each witness attending court in civil cases shall be entitled to seventy-five cents per day and five cents per mile actually travelled by the most direct route in going to court and returning home and the witness fees shall be taxed as a part of the costs and shall be collected and disposed of as herein provided. It is expressly provided that Act No. 586 approved September 8, 1967 (1967 Acts of Alabama, Volume II page 1358 and 1359), shall apply to said Court, and that the cost and fees provided for therein shall be collected in addition to the costs and fees provided for in this Act. The clerk shall attend upon the sessions of the court at such hours as are designated by the judge thereof and shall perform such other duties as may be prescribed by the judge of the court and by this act, either in person or by deputy. The clerk shall issue certificates of judgments of the court, in the same form as is now provided by law for issuance of certificates of judgments from the circuit courts. The owner of any judgment rendered by the court may file in the office of the judge of probate of any county in this State such certificate of judgment issued by the clerk as hereinabove provided, under the same procedure and in the same manner as is now or may hereafter be provided for filing certificates of judgments rendered by the circuit courts of this State; and when so filed such judgments shall be a lien in the county where filed on all property of the defendant which is subject to levy and sale under execution. The filing of such certificate of judgment shall be notice to all persons of the existence of the lien thereby created. Such lien shall continue for ten years from the date of such judgment and no insolvency proceedings or declaration of insolvency shall affect or impair such lien, except bankruptcy proceedings instituted within four months after the filing of the certificate, provided by law. Execution may be issued at any time within ten years from the date of such judgment, whether execution has been previously issued or not. The clerk of the court, before entering into the duties of his office, shall give bond in such penal sum as may be prescribed by the court of county commissioners of the county, payable and conditioned as are official bonds required of clerks of the circuit courts, to be taken and approved by the judge of probate of the county, and recorded in the probate office of the county. There shall be the same liabilities and remedies upon said bonds as upon bonds of the clerks of the circuit court of this state. The premium on the bond or bonds shall be paid out of the general fund of the county.

Section 7. The sheriff of Elmore County shall, in person, or by deputy, be required to attend upon the court and to preserve order and execute all writs or process issued therefrom, and to perform such other duties in all respect as he is required by law to perform in the circuit court of Elmore County.

Section 8. The deputy solicitor for the county shall prosecute for the state all criminal cases in the court created by this act. His entire compensation shall be a salary of Four thousand eight hundred dollars ($4,800) per annum, to be paid out of the general fund of the county,

in equal monthly installments on the warrant of the probate judge. Such warrants shall be preferred claims against the general fund of the county.

Section 9. There shall be a Tallassee Division and a Wetumpka Division of the Court. The Tallassee Division shall include and be composed of the following beats or precincts in Elmore County, viz: Precinct 1, precinct 2, precinct 3, precinct 4, precinct 13, and precinct 19; and the Wetumpka Division shall include and be composed of the following precincts in Elmore County, viz: Precinct 5, precinct 6, precinct 7, precinct 8, precinct 9, precinct 10, precinct 11, precinct 12, precinct 14, precinct 15, precinct 16, precinct 17, and precinct 18. The sessions of the court of the Tallassee Division shall be held at some place in the city of Tallassee or in the police jurisdiction thereof, and the sessions of the court of the Wetumpka Division shall be held at the Court house in the City of Wetumpka. The court, at the discretion of the judge, shall be open any day during the week, except Sunday, for the trial of cases coming within the jurisdiction of the court. On the first and third Mondays of each month there shall be held a session of the court for the handling, trial, and disposition of all criminal and quasi-criminal cases therein pending in the Wetumpka Division of Elmore County, which shall continue as long as necessary to dispose of the docket; and on the second Monday of each month there shall be held a session of the court for the handling, trial, and disposition of all cases therein pending in the Tallassee Division of Elmore County, which shall continue as long as necessary to dispose of the docket. On the fourth Monday of each month, there shall be held a session of the court in the Wetumpka Division for the handling, trial and disposition of all civil cases therein pending which shall continue as long as necessary to dispose of the docket. But any session of the court in either of the divisions may be dispensed with and continued by the judge when, in the opinion of the judge, the public good or public necessity requires such continuance. As to all civil and criminal actions of which the court shall have jurisdiction, the venue of the acts shall be determined as if each of the two divisions of the county hereinabove provided for constituted a separate county, except that after any actions instituted in either division of the court, the judge of the court shall have the power and authority to order the transfer or removal of any such action to the other division of the court for trial. All suits and actions on contract or in tort except as otherwise provided in this act must be brought in the division in which the defendant or one of them resides or in which the debt was created or cause of action arose.

Section 10. All prosecutions for misdemeanors may be instituted in the court by making affidavit before the judge or the clerk of the court, and the writ on said affidavit shall be issued by the clerk. In all preliminary proceedings in prosecutions for felonies begun in the court, the same may be instituted by affidavit before the judge or clerk, and the writ thereon shall be issued by the judge or the clerk. When the defendant is arrested on affidavit and warrant charging a misdemeanor the case shall go to the docket for trial and be tried as though the defendant had been indicted by a grand jury, expect as hereinafter provided. The defendant shall not be put upon trial in any cause within five days of his arrest, except with his consent. The judge of the court shall have the right and authority to issue all processes returnable into his court that are not especially provided to be issued by the clerk of the court, but he shall not prepare any summons and complaints, garnishments, detinue attachments, papers or other writs of process issuing out of said courts. All writs must be made returnable to the division of this court in which the alleged crime was committed.

Section 11. All criminal cases in the court shall be tried by the judge thereof without a jury, and the accused shall not have the right to demand a trial by jury, but in all trials of criminal cases in the court,

the judge shall determine both the law and the facts without the intervention of a jury, and in cases of conviction the defendant shall have the right to appeal to the circuit court as provided for in Section 326 of Title 13 of the Code of Alabama (1940,) except that appeal bonds shall be approved by the clerk of the court, and a jury trial may there be had on the demand of the defendant, made at the time of taking the appeal.

Section 12. A party aggrieved or desiring to bring a charge of misdemeanor before this court may, upon applying to the judge or clerk for a warrant of arrest and upon making affidavit in writing that he has probable cause for believing and does believe, that a specifically identified property, as the case may be, then the judge or clerk of the court shall examine the affiant under oath, and other witnesses if he so desires, touching the offense charged in the affidavit, and if the judge or clerk has probable cause for believing that the offense alleged in the affidavit has been committed he shall issue his warrant of arrest as hereinabove provided. When there is an objection to the validity or sufficiency of any affidavit, complaint, or warrant pending in this court or when a defect appears in any of the same, the solicitor or other person prosecuting for the state shall have the right to amend any or all the papers to which the objection is directed, or where such defect appears; or the solicitor may instead of amending the papers, make a brief statement of the cause of complaint signed by him, which may be substantially in the form provided in Section 259 of Title 15 of the Code of Alabama (1940) as amended and may be amended as herein provided. Thereupon the court shall proceed to try the case either upon the original papers or the original as amended, or upon the statement or statements filed by the solicitor or other person prosecuting for the state.

Section 13. All proceedings in the court as to judgment for fine and costs, confession of judgment and executions thereon, sentence to jail or hard labor for fines and costs, and as additional punishment, bail, conditional judgments, forfeitures, judgments, final and alias warrants of arrest, shall be the same in the Elmore County Court, as are now, or may hereafter be, provided for by law in the circuit courts; and conditional judgments may be set aside therein, reduced, or made absolute and the same orders and judgments may be made and taken in such matters as could be made or taken in the circuit courts; and the same procedure shall be followed, except as otherwise provided by this act.

Section 14. The trial of all criminal appeals from this court in the circuit court shall be de novo, and without any indictment or presentment by the grand jury; but the solicitor shall make a brief statement of the cause of complaint signed by him, in substantially the form prescribed by Section 259 of Title 15 of the Code of Alabama (1940), as amended, or the trial may proceed upon the original affidavit or complaint. On the trial of such appeal, the court shall be governed by the same rules as to evidence, practice, find of the jury, and punishment as if the case had originated in that court.

Section 15. All general laws relating to misdemeanors, now in force or that may hereafter be enacted, shall apply to and extend to this court, unless the contrary be expressly provided or limited by the laws so enacted.

Section 16. In all civil actions in this court, the pleadings and process and the time for filing pleadings shall conform to and be governed by the statute and rules obtaining in the circuit court of Elmore County, except that the issuance, levy, and collection of executions from this court shall be controlled by the laws now applicable to justice courts of this state, and the defendant shall have only ten days to plead, answer, or demur to a complaint filed against him.

Section 17. In all civil matters in this court the trial of the same shall in all respects be governed by the same rules of pleading, evidence, procedure, and practice as now prevail or govern in the circuit courts of this state, except as hereinafter provided. A party litigant after being served with statutory interrogatories shall be required to answer the interrogatories within thirty days, and upon his failure to do so shall be subject to the same pains and penalties as are now provided by law for failure to answer interrogatories propounded in the circuit court. Any party desiring to appeal from any judgment rendered in this court, except from judgments for the possession of real estate, may give security for the cost of the appeal in the form of an appeal bond, said bond to be approved by the clerk of said court; provided that if the party appealing desires to have the judgment superseded, when the judgment is for the payment of money or for the recovery of possession of personal property he may do so by giving a supersedeas bond with good and sufficient security or surety in such an amount as herein provided payable to the adverse party and approved by the clerk with the condition that if he fail in the appeal he will pay such judgment as the circuit court may render in the premises and all such cost and damages as any party aggrieved may sustain by reason of the wrongful appeal and suspension of the execution of the judgment. The appeal bond and security or surety for court cost and supersedeas bonds must be filed with and approveed by the clerk within ten days from the date of the rendition of the judgment. The supersedeas bond shall be in an amount double the amount of the judgment and cost of court in the case of a judgment for the payment of money; and shall be in the amount double the value of the personal property recovered in the suit and court costs, in the case of a judgment for the recovery of or possession of personal property. Any party desiring to appeal from any judgment rendered in this court for the possession of real estate may do so and that appeal shall be governed in all respects, including time allowed within which to take the appeal, amount and condition of appeal bond and in all other respects, by the general laws of this state relating to appeals in such cases from judgments of justice of the peace courts. Notice of all appeals in civil cases from this court shall be given the adverse party in such manner and for such time as is prescribed by the general laws of this state relating to notice of appeals from judgments rendered in justice of the peace courts.

Section 18. All civil cases in this court shall be tried by the judge without the intervention of a jury. The judge shall determine both the law and the facts, and either party shall have the right to appeal to the circuit court as hereinabove provided, and on appeal either party may demand a trial by jury on the trial in the circuit court and the trial in the circuit court shall be de novo.

Section 19. Final judgments rendered in civil causes in such court shall after the expiration of ten days from their rendition be taken and deemed to have passed beyond the control of the court, as if such term of the court at which the judgments were rendered had ended; provided, however, that nothing herein contained shall prevent the parties from filing a motion to vacate, set aside, or modify such judgment or grant a new trial or rehearing within ten days, or change or destroy the office of motion for a new trial or rehearing, when so made. Such motions shall be filed with the clerk of the court and called to the attention of the court, and the court may thereupon hear the motion or make an order continuing the motion for hearing at a future day, which motion shall be heard and determined within thirty days from the date of rendering the judgment.

Section 20. The judge of this court shall have the power to impose fines and sentence to hard labor upon convictions in misdemeanor cases, and to punish for contempt by fine not to exceed $50.00, and imprison-

ment in the county jail not to exceed five days, either or both, the same as judges of the circuit courts of this state. The judge of this court shall also have power to issue, hear, and determine writs of habeas corpus. The procedure, practice, and rules of the circuit courts of Alabama relating to such writs as are now, or which hereafter may be provided by law shall prevail in the Elmore County Court, and appeals from judgments or decrees in habeas corpus proceedings shall be governed by Code 1940, Title 15, Section 369. The judge shall have the same power relating to such writs as is now, or hereafter may be, conferred upon the judges of the circuit courts of Alabama; and such power shall extend to all cases where the judges of the circuit courts have the authority to issue such writs.

Section 21. The judge of this court shall keep an office in the court house of the county, or in such other suitable place in the county as the court of county commissioners may provide; and it shall be the duty of the court of county commissioners to provide an office for the judge, and to furnish and supply the office with the necessary fixtures, stationery, stamps, telephone, lights, heat, and other necessary supplies for the judge of this circuit; and it shall be the duty of the court of county commissioners, and they are hereby directed and authorized, to supply the clerk of the court the necessary minute books, dockets, blank forms, records books, and such other books, records, and blank forms, as are reasonably necessary to the dispatch of the business of this court.

Section 22. The Elmore County Law & Juvenile Court is hereby abolished and all cases and causes now pending in such court, together with the records pertaining to such pending cases, are hereby transferred to the Elmore County Court. Immediately upon the passage and approval of this act or upon its otherwise becoming a law, such court shall assume complete jurisdiction over all such pending cases, and shall have the same power and control over the same as if they had been originally filed in the Elmore County Court, except as to appeals in habeas corpus cases. The clerk of this court shall enter on the appropriate dockets of this court, all cases now pending in the Elmore County Law and Juvenile Court. All judgments heretofore rendered by such court shall be the same and shall have the same force and effect as if they had been rendered by the Elmore County Court, and such court shall have the same power and control, except as to appeals in habeas corpus cases, over such judgments and shall issue executions and all other processes thereon, the same and as fully and completely as if such judgments had been originally rendered in the Elmore County Court. All of such executions and other processes issued on judgments heretofore rendered by the Elmore County Law and Juvenile Court shall be issued by the clerk of the Elmore County Court.

Section 23. If, for any reason, any section, clause or provision of this act shall be declared to be invalid, or unconstitutional, it shall not be held to affect any other section, clause or provisions, but the same shall remain in full force and effect.

Section 24. All laws and parts of laws, whether local, general or special, in so far as they conflict with the provisions of this act, are hereby repealed.

Section 25. This act shall become effective October 1, 1969.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John P. Harris, who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 1, May 8, May 15, and May 22, all in the year 1969.

JOHN P. HARRIS.

Sworn to and subscribed before me June 5, 1969.

MRS. ELLEN T. HARRIS,
Notary Public.

By Mr. Harper:

H. 730. To alter, rearrange, redefine, and extend the boundary lines and corporate limits of the Town of Camp Hill, in Tallapoosa County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, redefine, and extend the boundary lines and corporate limits of the Town of Camp Hill, in Tallapoosa County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of Camp Hill in Tallapoosa County are hereby altered, rearranged, redefined and extended so as to include within the corporate limits of the Town a tract of land more particularly described as follows:

In Section 8, Township 21 North, Range 24 East: The southwest quarter and the southeast quarter.

In Section 9, Township 21 North, Range 24 East:

The southwest quarter and the southeast quarter.

In Section 10, Township 21 North, Range 24 East:

The southwest quarter and the southeast quarter.

Section 17, Township 21 North, Range 24 East.

Section 16, Township 21 North, Range 24 East.

Section 15, Township 21 North, Range 24 East.

Section 20, Township 21 North, Range 24 East.

Section 21, Township 21 North, Range 24 East.

Section 22, Township 21 North, Range 24 East.

In Section 29, Township 21 North, Range 24 East: the northwest quarter and the northeast quarter.

In Section 28, Township 21 North, Range 24 East: the northwest quarter and the northeast quarter.

In Section 27, Township 21 North, Range 24 East: the northwest quarter and the northeast quarter.

All the above described lands lying in Sections 8, 9, 10, 15, 16, 17, 20, 21, 22, 29, 28, and 27, Township 21 North, Range 24 East, Tallapoosa County, Alabama.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ray Pruitt, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Dadeville Record, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 12-19-68, 12-26-68, 1-2-69, and 1-9-69, all in the year 1968-69.

RAY PRUITT.

Sworn to and subscribed before me June 11, 1969.

JEAN DAVIS,
Notary Public.

Also:

By Messrs. Turnham, Higginbotham and Brassell:

H. 732. To regulate the compensation of bailiffs for the grand jury and bailiffs actually serving in court in every county having a population of not less than 49,500 nor more than 50,000.

Also:

By Mr. Fite:

H. 737. To provide for the expenses of members of the Boards of Educations in counties having a population of not less than 14,500 nor more than 14,900 according to the last federal decennial census and to limit such payment to $50.00 per month.

Also:

By Mr. Fite:

H. 738. To provide for additional expenses for additional travel for the chairmen and members of the County Boards of Revenue or other County Governing Bodies in counties having a population of not less than

20,100 nor more than 21,850 according to the last federal decennial census and to limit such additional expense payments to $50.00 per month to the Chairman of such county governing body and to $100.00 per month to the members thereof, and to provide an expiration date for this Act: and to repeal all laws in conflict herewith.

Also:

By Mr. Fite:

H. 739. To further provide for the expenses of the County Solicitor in counties having a population of not less than 21,800 nor more than 21,850, according to the last or any subsequent federal decennial census, and to limit such payment to one hundred dollars ($100) per month for travel required.

Also:

By Mr. Fite:

H. 740. To provide for additional expenses of Chief Deputy Sheriffs in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to limit such additional payments for expenses to $100 per month and to provide an expiration date for this Act.

Also:

By Mr. Fite:

H. 741. To provide for the expenses of members of the Boards of Education in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to limit such payment to $50.00 per month.

Also:

By Mr. Fite:

H. 742. To provide for certain court reporters in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to provide for their appointment and compensation.

Also:

By Mr. Fite:

H. 743. To provide for the expense of judges of certain courts in counties with population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to provide for an effective date and an expiration date for this Act: and to repeal all laws in conflict therewith.

Also:

By Messrs. Merrill, Burgess and Lybrand:

H. 756. To apply only to counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Also:

By Messrs. Brassell, Turnham and Higginbotham:

H. 766. Relating to the compensation of members of boards of directors of certain municipal corporations in cities having populations of not less than 20,500 nor more than 28,000, according to the most recent federal decennial census; amending further Section 3 of Act No. 175, S. 280, Regular Session of 1951 (Acts 1951, p. 416).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 701, 702, 703, 707, 708, 726, 730, 732, 737, 738, 739, 740, 741, 742, 743, 756 and 766. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Dill, Crane, Sessions, Yeilding, Cherner, Gafford, Ellis, Jackson (T), Waggoner, Holman, Weeks, Kilgore, Cook (Jefferson), Brown, Robertson, Culver, Cook (Coffee), McCorquodale, Stembridge, Crawford, Neville, Money, Grainger, Bank, Manley, Tuck and Burgreen:

H. 274. To amend Section 142, Chapter 7, Title 52, Code of Alabama, 1940, as amended.

Also:

By Messrs. Ellis, Yeilding, Harris, Meeks, Weeks, Culver, Burgess, Shumate, Waggoner, Starnes, Haygood, Laxson, Owen (Baldwin), Downing, Brown, Melton, Owens (W), Hobbie, Brannan, Jackson (F), Foshee, Agee, Harper, Crane, Higginbotham, Collier, Young, Headley, Lemley, Fine, Robertson, Pennington, Manley, Tuck, Burgreen, Stubbs, Berryman (R), McDonald, Williams, Doss, Pruitt, Watkins, Money, Jackson (T), Gloor, Adwell, Gafford, Holman, Cherner, Bowers, Turnham, House, Wright, McCorquodale, Edington and Drake:

H. 463. Relating to disruptive activity on the campus or property of private or public schools, vocational or trade schools, and institutions of higher learning; and prescribing certain penalties for violations.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 274 and 463. To the Committee on Education.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Holladay:

H. 555. Relating to St. Clair County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Springville in said county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA,
COUNTY OF ST. CLAIR.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to St. Clair County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Springville in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. When permitted by its charter and by-laws, and approved by the State Banking Department and the Federal Deposit Insurance Corporation, any bank situated in St. Clair County shall be authorized to open, establish, operate and maintain at Springville in said county, a branch bank, branch office or other place of business for the receipts of deposits, payment of checks, and conducting a general banking business.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approved by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News-Aegis, a newspaper of general circulation published in Pell City, St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issues of said paper on 4-10, 4-17, 4-24, and 5-1, all in the year 1969.

E. R. BLAIR.

Sworn to and subscribed before me May 26th, 1969.

ETHEL BLAIR,
Notary Public.

Also:

By Messrs. Smith and Bolton:

H. 564. Relating to the Twenty-ninth Judicial Circuit; creating an additional judgeship for such circuit; providing for the designation of such judgeships by number and for a presiding judge of such circuit; and providing for the election, term, compensation, powers, duties, liabilities and authority of an additional judge for such circuit.

Also:

By Mr. Pearson:

H. 687. Relating to Autauga County; further regulating the places of meetings of the board of registrars.

With notice and proof thereto attached and herewith exhibited as follows:

LEGALS

STATE OF ALABAMA
COUNTY OF AUTAUGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Autauga County: further regulating the places of meetings of the board of registrars.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of registrars of Autauga County shall meet each year for the number of days prescribed in Code of Alabama, 1940. Title 17, Section 26, as amended. They are relieved, however, of the duty of visiting all the precincts between October first and December thirty-first in odd-numbered years, as therein required; and in lieu thereof in odd-numbered years they shall meet for the purpose of registering voters on 30 different days at the courthouse.

Section 2. This act is supplemental. It shall not be construed to repeal or supersede as to Autauga County any provision of the general law relative to meetings of registrars, except those provisions of Code of Alabama 1940. Title 17, Section 26, as amended, which are in conflict with and superseded by the provisions of Section 1 hereof.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Norman E. Ridenhour, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor & Publisher of the The Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 8, May 15, May 22, and May 28, all in the year 1969.

NORMAN E. RIDENHOUR,
Editor & Publisher.

Sworn to and subscribed before me this 9th day of June, 1969.

LINDA H. BREEDLOVE,
Notary Public.

My commission expires Dec. 9-70

Also:

By Mr. Brassell:

H. 700. Relating to counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; to provide further for expense allowances to the members and clerk of the county governing bodies in such counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 555, 687 and 700. To the Committee on Local Legislation No. 1.

H. B. 564. To the Committee on Judiciary.

ADJOURNMENT

At 3:45 P.M., on motion of Mr. Oden, in accordance with Joint Resolution heretofore adopted, and pending further consideration of the Bill, S. B. 386, the Senate adjourned until Tuesday, June 24, 1969, at 1 o'clock P.M.

FOURTEENTH LEGISLATIVE DAY

TUESDAY, JUNE 24, 1969

The Senate met pursuant to adjournment, President Pro Tempore Goodwyn presiding.

PRAYER

The Session was opened with prayer by the Reverend Lester Spencer, Minister, Forest Avenue United Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	Lolley	Radney	
Branyon	Gilmore	McCarley	Skidmore	
Carr	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jackson	Oden		—34

JOURNAL

On motion of Mr. Lindsey, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Thirteenth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Mr. Adams for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Harris:

S. 559. Making an appropriation from the state treasury to the Spirit of America Festival, Inc.

Committee on Finance and Taxation.

By Messrs. Giles and Goodwyn:

S. 560. To amend further Section 388 of Title 51, Code of Alabama, 1940, which relates to exemptions from the state income tax on individuals; and to provide that this Act shall be given retroactive effect to December 31, 1968.

Committee on Finance and Taxation.

By Messrs. Bailes, Childs, Morrow, Vacca and Dominick:

S. 561. Relating to the conduct of elections, amending Section 156, Title 17, Code of Alabama 1940, which provides secret ballots for voters, so as to grant every voter the right to refuse to disclose the tenor of his vote, unless the vote was cast illegally.

Committee on Privileges and Elections.

By Messrs. Bailes, Childs, Morrow and Vacca:

S. 562. Relating to judicial procedure; providing for privileged communications among psychotherapists, their patients and certain other persons; defining terms; providing for the application of this act and providing certain exceptions; repealing conflicting laws and specifically repealing Section 14 of Act No. 535, S. 195, Regular Session 1963 (Acts 1963, p. 1147).

Committee on Judiciary.

By Messrs. Bailes, Morrow and Vacca:

S. 563. To provide that certain communications between clergymen and their communicants shall be privileged; defining terms; and providing for the application of this act.

Committee on Judiciary.

By Mr. Vacca:

S. 564. To authorize every public corporation heretofore or hereafter organized or created in this state pursuant to authorization or determination by a municipality or by its governing body, which public corporation now or hereafter owns a water system or systems, and any municipality in this state in which any part of such water system or systems is situated, without an election, and with or without consideration, to transfer and convey such system or systems and all right, title and interest therein, including without limitation all reversionary, residuary or remainder rights provided by law, to any other public corporation whose certificate of incorporation was filed in the office of the Probate Judge of the same county in which was filed the certificate of incorporation of the public corporation proposing to make the transfer and conveyance or in the office of the Probate Judge of an adjacent

county; to require the public corporation proposing to make such transfer and conveyance to make provision for the payment and retirement of any bonds, mortgages, indentures, resolutions or other obligations including revenue bonds or other securities payable from or secured by a pledge of the revenues or earnings of or constituting a lien upon the water system or systems proposed to be transferred and conveyed or to require the assumption thereof by the transferee public corporation; to authorize each public corporation and municipality to enter into any agreements and to execute any instruments which their respective governing bodies may deem necessary or appropriate in order to carry out the provisions of the Act; to provide for the publication and posting of a notice of the proceedings taken or to be taken under the Act; to limit the time within which any proceedings may be commenced in any Court with respect to the matters referred to in said notice; to provide that the provisions of this Act shall be cumulative; to provide that all matters authorized in the Act shall be exempt from all jurisdiction of and regulation by the Alabama Public Service Commission and by any other regulatory body; to provide for the severability of the provisions of this Act; and to provide the effective date of this Act.

Committee on Judiciary.

By Mr. Pelham:

S. 565. To declare the public policy of the State of Alabama with respect to all laws governing seafoods, aquatic life and salt water matter; to create the Alabama Marine Conservation Commission, to prescribe its authority, jurisdiction, powers and functions and to provide for the appointment, qualifications, terms and compensation of its members; to authorize the commission to appoint an advisory council; to abolish the Division of Seafoods in the State Conservation Department and to transfer its authority, jurisdiction, duties, property and funds including the control of the seafoods fund to said commission; to authorize the appointment of administrative personnel and other employees subject to the state merit system laws; to provide for the licensing and taxing of boats and vessels used in taking or catching seafoods and of persons, firms and corporations dealing in seafoods; to provide for the cultivation of oyster reefs and the leasing of oyster bottoms; to regulate and fix requirements for contracts for the sale or removal of shells; to provide for the disposition and use of all funds accruing to the commission; to provide for the enforcement of this act and to authorize certain municipalities to aid and cooperate therein; to prescribe penalties for violations and to provide for appeals from regulations and decisions; and to repeal conflicting laws.

Committee on Fish and Game.

By Messrs. Engel and Cooper:

S. 566. To authorize and direct the director of conservation to execute on behalf of the State of Alabama a proper conveyance of certain real property to the Board of Trustees of the University of South Alabama.

Committee on Judiciary.

By Messrs. Engel and Cooper:

S. 567. Proposing a constitutional amendment relative to the title and use of sixteenth section school lands lying within the corporate limits of the City of Mobile.

Committee on Finance and Taxation.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Engel:

S. 568. To amend Act No. 60, H. 218, 2nd Special Session 1965, "an Act to levy and provide for the collection of a tax in the amount of one dollar upon each criminal and quasi criminal case docketed in every court in the State of Alabama, with certain enumerated exceptions as to courts and cases; to appropriate the funds derived from said tax for the purpose of paying fees of counsel, court reporters, and clerks, and other expenses in certain cases wherein the accused is indigent," in order to provide for the disposition of the balance remaining in the fair trial tax fund.

Committee on Finance and Taxation.

By Messrs. Gilmore, Pierce, Vacca, Morrow, Childs, Bailes, Giles, Cooper, Folsom, Albea, Nabors, McDermott and Stone:

S. 569. To provide for purchasing and furnishing state-owned textbooks for certain state institutions.

Committee on Finance and Taxation.

By Messrs. McDermott, Engel, Giles, Skidmore, Folsom, Nabors, Dominick and Morrow:

S. 570. To amend Act No. 531 adopted at the 1953 Regular Session of the Legislature of Alabama relating to pledges by municipalities, for the benefit of their securities, of that portion of the proceeds from any license, privilege or excise tax levied by local act apportioned and paid to such municipality, so that the said act shall hereafter apply to such taxes levied by any act; and to ratify any such pledges heretofore made.

Committee on Municipalities and
Municipal Organizations.

By Mr. Lolley:

S. 571. To amend further Section 2 of the Farmers Market Authority Act, Act No. 672, S. 99 of the Regular Session of 1965, as heretofore amended by Act No. 174, H. 117 of the Special Session of 1966, (Acts of Alabama 1965, p. 1208 and Acts of Alabama, Special Sess. of 1966 p. 200) which said Section 2 of said Act relates to the membership of the Farmers Market Authority.

Committee on Agriculture.

By Mr. Folsom:

S. 572. To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous, thereto, in Cullman County, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Good Hope, Cullman County, Alabama, be and the same are hereby altered, or rearranged so as to include all of the territory encompassed by the corporate limits of the Town of Good Hope, Alabama, and in addition thereto the following described territory, to-wit:

Tract I The Southwest Quarter of the Southeast Quarter, Section 29, Township 10 South, Range 3 West. Also: The North One-Half of the Northeast Quarter, Section 32, Township 10 South, Range 3 West.

Tract II The Southwest Quarter of the Southeast Quarter of Section 32, Township 10 South, Range 3 West.

Tract III Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter of Section 33, Township 10 South, Range 3 West.

Tract IV The Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter of Section 5, Township 11 South, Range 3 West.

Tract V The East Half of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter of Section 8, Township 11 South, Range 3 West.

Tract VI The Southwest Quarter of the Southwest Quarter of Section 8, Township 11 South, Range 3 West. Also: The South One-Half of the Southeast Quarter of the Southeast Quarter of Section 7, Township 11 South, Range 3 West.

Tract VII The Northeast Quarter and the East One-Half of the Southeast Quarter of the Northwest Quarter in Section 17, Township 11 South, Range 3 West.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for

four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 9, 16, 23, 30, 1968.

ROBERT BRYAN,
Publisher.

Dated this the 18th day of June, 1969.

SUE EVANS,
Notary Public.

My commission expires May 21, 1972.

By Messrs. Pierce and Goodwyn:

S. 573. To amend the title and Sections 1, 2, 3, 4 and 5 of Act No. 481, H. 872, Regular Session 1961 (Acts 1961, p. 540) which act authorizes the establishment of a recreation board in all cities having a population of as many as 100,000 and not more than 200,000 people according to the last or any subsequent decennial federal census and provides for the appointment, duties, powers and authority of said board and that of any such municipality with respect to furnishing recreational facilities independently or jointly with the county or city or county school board, so as to include parks within the purview of this act.

Committee on Local Legislation No. 1.

By Messrs. Morrow and Bailes:

S. 574. To authorize every public corporation heretofore or hereafter organized or created in this state pursuant to authorization or determination by a municipality or by its governing body, which public corporation now or hereafter owns a water system or systems, and any municipality in this state in which any part of such water system or systems is situated, without an election, and with or without consideration, to transfer and convey such system or systems and all right, title and interest therein, including without limitation all reversionary, residuary or remainder rights provided by law, to any other public corporation whose certificate of incorporation was filed in the office of the Probate Judge of the same county in which was filed the certificate of incorporation of the public corporation proposing to make the transfer and conveyance or in the office of the Probate Judge of an adjacent county; to require the public corporation proposing to make such transfer and conveyance to make provision for the payment and retirement of any bonds, mortgages, indentures, resolutions or other obligations including revenue bonds or other securities payable from or secured by a pledge of the revenues or earnings of or constituting a lien upon the water system or systems proposed to be transferred and conveyed or to require the assumption thereof by the transferee public corporation; to authorize each public corporation and municipality to enter into any agreements and to execute any instruments which their respective governing bodies may deem necessary or appropriate in order to carry out the provisions of the Act; to provide for the publication and posting of a notice of the proceedings taken or to be taken under the Act; to limit the time within which any proceedings may be commenced in any Court with respect to the matters referred to in said notice; to provide that the provisions of this Act shall be cumulative; to provide that all matters authorized in the Act shall be exempt from all jurisdiction of and regulation by the Alabama Public Service Commission and by any other regulatory body; to provide for the severability of the provisions of this Act; and to provide the effective date of this Act.

Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Burgreen (with notice and proof):

H. 692. Relating to the public school funds of Limestone County; authorizing the board of education to budget and expend funds for the office of the county superintendent of education, and to regulate the salary, expenses and allowances of the superintendent; providing for the payment of monthly expense allowances to members of the board of education from such funds.

By Mr. McDermott:

S. 554. To amend further Section 5 of an Act entitled an Act "To provide for appointment of official court reporters of the circuit courts of those circuits which are now, or which may hereafter be, composed of only one county and having not less than six nor more than twelve circuit judges; to provide for their qualifications, to fix their compensation, to define their duties and provide for the appointment of special reporters in such cases; and to repeal all laws which may be in conflict herewith", approved April 8, 1955.

By Mr. Fine:

H. 642. Relating to counties having a population of not less than 13,700 nor more than 14,300; increasing the salary of the deputy solicitor in such counties.

By Mr. Collier (with notice and proof):

H. 726. Relating to Elmore County: abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

By Mr. Harper (with notice and proof):

H. 730. To alter, rearrange, redefine, and extend the boundary lines and corporate limits of the Town of Camp Hill, in Tallapoosa County, Alabama.

By Mr. Harper (with notice and proof):

H. 572. Relating to Tallapoosa County; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act and the collection and use of the proceeds of the tax; prescribing penalties for violations.

By Messrs. Downing, Grayson and Nettles:

H. 654. To provide that the Governing Body of any City or town in any county in the State of Alabama having a population, according to the last or any future Federal Census, in excess of 300,000 inhabitants and less than 600,000 inhabitants may, by resolution or ordinance, create the position of Assistant City Attorney on a full time basis, and designate the position to be that of the Senior Assistant City Attorney, or Principal Attorney, or other such appropriate title; and may provide by the same resolution or ordinance that any person presently holding such position in the municipal government shall be immediately placed upon the employment roster of any countrywide Civil Service or merit system of such county, without examination and without any decrease in the salary of such person, and such position shall thereafter remain under the provisions of any such countrywide Civil Service or merit system.

By Mr. Perloff (with notice and proof):

H. 286. To alter, rearrange and extend the boundary lines and corporate limits of the City of Prichard in Mobile County.

By Mr. Pearson (with notice and proof):

H. 687. Relating to Autauga County; further regulating the places of meetings of the board of registrars.

By Mr. Givhan:

S. 547. Relating to all counties having populations of not less than 55,000 nor more than 60,000 according to the most recent federal decennial census; authorizing the employment of a deputy clerk for the jury commission and providing for his duties, tenure and compensation.

By Messrs. Manley and Pruitt (with notice and proof):

H. 689. Relating to Marengo County; to provide that the corporate authorities of any city therein, and the Board of Revenue, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Board of Revenue may unite in the establishment of such service, making it common for the use of the city and of the county.

By Mr. McDermott:

S. 556. Relating to counties having populations of not less than 300,000 nor more than 500,000; prohibiting the killing of unantlered male deer.

By Mr. Fite:

H. 737. To provide for the expenses of members of the Boards of Educations in counties having a population of not less than 14,500 nor more than 14,900 according to the last federal decennial census and to limit such payment to $50.00 per month.

By Mr. Fite:

H. 738. To provide for additional expenses for additional travel for the chairmen and members of the County Boards of Revenue or other County Governing Bodies in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census

and to limit such additional expense payments to $50.00 per month to the Chairman of such county governing body and to $100.00 per month to the members thereof, and to provide an expiration date for this Act: and to repeal all laws in conflict herewith.

By Mr. Fite:

H. 739. To further provide for the expenses of the County Solicitor in counties having a population of not less than 21,800 nor more than 21,850, according to the last or any subsequent federal decennial census, and to limit such payment to one hundred dollars ($100) per month for travel required.

By Mr. Fite:

H. 740. To provide for additional expenses of Chief Deputy Sheriffs in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to limit such additional payments for expenses to $100 per month and to provide an expiration date for this Act.

By Mr. Fite:

H. 741. To provide for the expenses of members of the Boards of Education in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to limit such payment to $50.00 per month.

By Mr. Fite:

H. 742. To provide for certain court reporters in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to provide for their appointment and compensation.

By Mr. Fite:

H. 743. To provide for the expense of judges of certain courts in counties with population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to provide for an effective date and an expiration date for this Act: and to repeal all laws in conflict therewith.

By Mr. Holladay (with notice and proof):

H. 555. Relating to St. Clair County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Springville in said county.

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Merrill, Mathews and Lybrand:

H. 13. To amend Act No. 239, H. 220, Regular Session 1967 (Acts of 1967, p. 615), which creates a board of trustees to manage and control Jacksonville State University, and divests the state department of education of jurisdiction, power and authority with respect to the supervision, management and control of such university, so as to provide further for the annual meeting of said board of trustees.

RESOLUTIONS

Mr. McCarley offered the following Senate Joint Resolution, to-wit:

S. J. R. 29. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA CONCURRING, That we respectfully request the Congress of the United States to propose to the people an amendment to the Constitution of the United States, or to call a convention for such purpose as provided by Article V of the Constitution, an article providing as follows:

"ARTICLE .....

"Section 1. The Government of the United States shall not engage in any business, professional, commercial, financial or industrial enterprise except as specified in the Constitution.

"Section 2. The Constitution or laws of any State, or the laws of the United States shall not be subject to the terms of any foreign or domestic agreement which would abrogate this amendment.

"Section 3. The activities of the United States Government which violate the intent and purposes of this amendment shall, within a period of three (3) years from the date of ratification of this amendment, be liquidated and the properties and facilities affected shall be sold.

"Section 4. Three (3) years after the ratification of this amendment, the sixteenth Article of amendments to the Constitution of the United States shall stand repealed and thereafter Congress shall not levy taxes on personal incomes, estates, and/or gifts."

BE IT FURTHER RESOLVED That a certified copy of this Resolution be forwarded by the Secretary of State to the President of the United States Senate, the Speaker of the House of Representatives, and to each Member of Congress from the State of Alabama.

Which was read and referred to the Standing Committee on Rules.

Mr. Torbert offered the following Senate Joint Resolution, to-wit:

S. J. R. 30. WHEREAS Hugh McClendon and Bob Weaver, twelve years of age, of Lafayette, Alabama, gallantly went to the rescue of a drowning and badly injured man near Kowaliga, and

WHEREAS through their strenuous and heroic efforts the life of the victim was saved, and

WHEREAS both of these fine young men are members of the Boy Scouts of America and have shown themselves to be outstanding examples of the qualities of manhood taught and promoted by that organization, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we take great pride and pleasure in commending Hugh McClendon and Bob Weaver for their cool, heroic, and efficient rescue, and applaud their quickness of mind, soundness of judgment, and bravery in the face of danger.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the families of Hugh McClendon and Bob Weaver.

On motion of Mr. Torbert, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING

The Bill:

H. 350. Relating to all counties having populations of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; to prescribe the qualifications of the county superintendent of education in each such county; and to regulate his compensation and expense allowances.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Lindsey	Oden	
Albea	Engel	McCarley	Pelham	
Bailes	Folsom	McDermott	Pierce	
Branyon	Giles	Morrow	Radney	
Carr	Gilmore	Nabors	Skidmore	
Childs	Givhan	O'Bannon	Stone	
Clark	Goodwyn			—25

Nays: —0

The Bill:

H. 591. To amend further Section 1 of Act No. 99, H. 437, Regular Session 1957, as amended, an act fixing the compensation of the county superintendent of education of Washington County, relative to the amount of compensation of said superintendent.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	Lindsey	Oden	
Branyon	Gilmore	McCarley	Skidmore	
Carr	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

H. 651. To regulate the compensation of county superintendents of education in counties having populations of not less than 22,500 nor more than 24,550.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Nabors	
Albea	Engel	Lindsey	Oden	
Bailes	Folsom	Lolley	Pierce	
Carr	Giles	McCarley	Radney	
Childs	Harris	McDermott	Stone	
Clark	Hawkins	Morrow	Torbert	
Cooper	Jackson			—25

Nays: —0

The Bill:

H. 610. Relating to counties having population of not less than 25,400 nor more than 25,600, according to the most recent federal decennial census; providing for the County Board of Education to set the annual salary of the Superintendent of the County Board of Education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Radney	
Albea	Givhan	McDermott	Skidmore	
Bailes	Goodwyn	Morrow	Stone	
Carr	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lolley			—25

Nays: —0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Lindsey, further consideration of the Bill, S. B. 221, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 158. To allow the Sheriff of St. Clair County, Alabama, two (2) additional Deputies Sheriff to that now provided by law; to fix the salary of said Deputies and to make the same payable out of the general fund of St. Clair County, in monthly installments.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Albea	Folsom	Lolley	Pierce	
Bailes	Giles	McCarley	Radney	
Carr	Gilmore	McDermott	Skidmore	
Clark	Givhan	Morrow	Stone	
Cooper	Goodwyn	Nabors	Torbert	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 159. To amend Act No. 124, H. 154, First Special Session 1964, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Albea	Engel	Lindsey	Pierce	
Bailes	Folsom	Lolley	Stone	
Branyon	Giles	Nabors	Torbert	
Carr	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25

Nays: —0

The Bill:

H. 160. Relating to St. Clair County; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Oden	
Albea	Folsom	Lindsey	Pelham	
Bailes	Giles	Lolley	Pierce	
Carr	Gilmore	McCarley	Radney	
Clark	Givhan	McDermott	Skidmore	
Cooper	Goodwyn	Morrow	Stone	
Dominick	Jackson			—25

Nays: —0

The Bill:

H. 161. To alter, rearrange and extend the boundaries and corporate limits of the Town of Riverside, St. Clair County, Alabama so as to annex certain territory to the town.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lolley	Radney	
Albea	Giles	Nabors	Skidmore	
Bailes	Harris	O'Bannon	Stone	
Branyon	Hawkins	Oden	Torbert	
Carr	Jackson	Pelham	Turner	
Dominick	Leonard	Pierce	Vacca	
Engel	Lindsey			—25

Nays: —0

The Bill:

S. 490. To provide for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Albea	Engel	Lindsey	Pierce	
Branyon	Folsom	Lolley	Radney	
Carr	Giles	McCarley	Skidmore	
Childs	Gilmore	McDermott	Stone	
Clark	Givhan	Morrow	Torbert	
Cooper	Goodwyn			—25

Nays: —0

The Bill:

S. 491. To amend further Act No. 491, S. 444, Regular Session 1961, relating to cities having populations of not less than 60,000 nor more than 70,000 according to the most recent federal decennial census (Acts 1961, p. 563) so as to provide expense allowances for the chairman and associate members of the city commission.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Bailes	Engel	Lindsey	Pierce	
Branyon	Givhan	Morrow	Skidmore	
Carr	Goodwyn	Nabors	Torbert	
Childs	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25

Nays: —0

The Bill:

H. 284. Providing for the compensation and meeting days of the jury commission in every county of this state having populations of not less than 20,500 nor more than 21,850, according to the most recent federal decennial census; and providing that this Act shall have retroactive effect.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Harris	Oden	
Albea	Engel	Leonard	Pelham	
Bailes	Folsom	Lindsey	Pierce	
Branyon	Giles	Lolley	Radney	
Carr	Gilmore	McCarley	Skidmore	
Childs	Givhan	McDermott	Stone	
Clark	Goodwyn			—25

Nays: —0

The Bill:

H. 407. To provide a supplement payable by the counties for any judge of the 15th Judicial Circuit of Alabama who becomes supernumerary circuit judge.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Pierce	
Albea	Giles	McDermott	Skidmore	
Bailes	Gilmore	Morrow	Stone	
Clark	Goodwyn	Nabors	Torbert	
Cooper	Hawkins	O'Bannon	Turner	
Dominick	Jackson	Oden	Vacca	
Engel	Leonard			—25

Nays: —0

The Bill:

H. 219. Relating to all counties having populations of not less than 11,000 nor more than 13,000, according to the most recent federal decennial census; to confer additional powers on the Circuit Clerk of Clay County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lolley	Oden	
Albea	Giles	McCarley	Pelham	
Bailes	Gilmore	McDermott	Pierce	
Branyon	Givhan	Morrow	Radney	
Carr	Harris	Nabors	Skidmore	
Dominick	Hawkins	O'Bannon	Stone	
Engel	Leonard			—25

Nays: —0

The Bill:

S. 503. Relating to Wilcox County; to amend further Act No. 436, S. 397, Regular Session 1939 (Loc. Acts 1939, p. 261), an act which provided further for the duties, power, authority, and compensation of the members of the Court of County Commissioners of Wilcox County.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Radney	
Albea	Givhan	McDermott	Skidmore	
Bailes	Goodwyn	Morrow	Stone	
Branyon	Harris	Nabors	Torbert	
Carr	Hawkins	O'Bannon	Turner	
Childs	Jackson	Oden	Vacca	
Cooper	Lolley			—25

Nays: —0

The Bill:

S. 504. To amend Act No. 192, H. 652, Regular Session 1955 (Acts 1955, p. 477), an act which authorizes and requires the governing body of Wilcox County to pay the clerk hire of certain county officers.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McCarley	Stone	
Branyon	Gilmore	O'Bannon	Torbert	
Carr	Hawkins	Oden	Turner	
Childs	Jackson	Pelham	Vacca	
Cooper	Leonard			—25

Nays: —0

The Bill:

H. 258. To alter, rearrange and extend the boundaries and corporate limits of the town of Gordo, Pickens County, Alabama, so as to annex certain territory to the town.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Branyon	Giles	Lolley	Radney	
Childs	Gilmore	McCarley	Skidmore	
Clark	Givhan	McDermott	Stone	
Cooper	Goodwyn	Morrow	Torbert	
Dominick	Harris			—25

Nays: —0

The Bill:

H. 257. To amend further Section 3 of Act No. 149, H. 441, Acts 1951, p. 333 relating to Greene County, so as to make further provisions respecting the compensation of the chairman of the court of county commissioners.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Oden	
Albea	Folsom	Leonard	Pelham	
Branyon	Giles	Lindsey	Pierce	
Childs	Gilmore	Lolley	Radney	
Clark	Givhan	Nabors	Skidmore	
Cooper	Harris	O'Bannon	Vacca	
Dominick	Hawkins			—25

Nays: —0

The Bill:

S. 512. To amend Section 5 of Act No. 77, H. 325, Regular Session 1947 (Local Acts 1947, p. 55) as amended, an act to create the office of county solicitor of Autauga County, so as to provide an expense allowance for the county solicitor.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Radney	
Branyon	Givhan	McCarley	Skidmore	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 253. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the town of Hartford in Geneva County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Oden	
Albea	Folsom	Lolley	Pelham	
Bailes	Giles	McDermott	Pierce	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

H. 252. To apply only in counties having populations of not less than 96,000 nor more than 106,000, regulating the compensation and allowances of members of the county board of education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Albea	Folsom	Lolley	Pierce	
Bailes	Giles	McCarley	Radney	
Branyon	Gilmore	McDermott	Skidmore	
Carr	Givhan	Nabors	Stone	
Childs	Goodwyn	Oden	Torbert	
Clark	Leonard			—25

Nays: —0

The Bill:

H. 233. Relating to counties having populations of not less than 30,550 and not more than 31,000; providing for the appointment and terms of office of the directors of hospital associations organized in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	Leonard	Oden	
Branyon	Gilmore	Lolley	Skidmore	
Carr	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

H. 256. Relating to all counties having populations of not less than 15,000 nor more than 15,300, according to the most recent federal decennial census; to authorize the governing body of each such county to pay the salaries of clerks for the tax assessor and the tax collector of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Albea	Folsom	Lolley	Pierce	
Bailes	Giles	Morrow	Stone	
Branyon	Gilmore	Nabors	Torbert	
Carr	Hawkins	O'Bannon	Turner	
Clark	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 254. To apply only in counties having populations of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	McDermott	Radney	
Albea	Givhan	Morrow	Skidmore	
Bailes	Goodwyn	Nabors	Stone	
Branyon	Harris	O'Bannon	Torbert	
Carr	Hawkins	Oden	Turner	
Clark	Jackson	Pierce	Vacca	
Dominick	McCarley			—25

Nays: —0

The Bill:

H. 224. To further regulate the sale of spirituous or vinous liquors and malt or brewed beverages in Coosa County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	Leonard	Oden	
Branyon	Gilmore	Lindsey	Skidmore	
Carr	Givhan	McCarley	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

H. 223. To confer additional powers on the Circuit Clerk of Coosa County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Oden	
Albea	Folsom	Lindsey	Pelham	
Bailes	Giles	McCarley	Pierce	
Branyon	Gilmore	Morrow	Radney	
Carr	Givhan	Nabors	Skidmore	
Childs	Goodwyn	O'Bannon	Stone	
Clark	Harris			—25

Nays: —0

The Bill:

H. 222. To authorize the court of county commissioners or like governing body of Coosa County to levy a privilege or license tax on persons, firms and corporations, selling, distributing or delivering any malt or brewed beverages to retailers in Coosa County; to authorize said governing body of Coosa County to collect the tax, and to make rules and regulations to govern enforcement and collection of the tax; to provide for the rate of the tax and the use of the proceeds thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	McCarley	Pierce	
Albea	Giles	Morrow	Radney	
Bailes	Harris	Nabors	Stone	
Clark	Hawkins	O'Bannon	Torbert	
Cooper	Jackson	Oden	Turner	
Dominick	Leonard	Pelham	Vacca	
Engel	Lindsey			—25

Nays: —0

The Bill:

H. 221. Relating to all counties having populations of not more than 10,800, according to the most recent federal decennial census; further regulating the salary of the county superintendent of education in each such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	McCarley	Radney	
Branyon	Gilmore	Morrow	Skidmore	
Carr	Givhan	Nabors	Turner	
Childs	Goodwyn	Oden	Vacca	
Clark	Harris			—25

Nays: —0

The Bill:

H. 259. To relieve the court of county commissioners, board of revenue or other like governing body of Greene County from responsibility of providing space and equipment to the county board of education and to provide in lieu thereof a cash payment.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Radney	
Albea	Givhan	McDermott	Skidmore	
Branyon	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lolley			—25

Nays: —0

The Bill:

H. 305. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 27, Township 16 North, Range 17 East, Montgomery County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	McCarley	Pierce	
Branyon	Folsom	McDermott	Skidmore	
Carr	Giles	Morrow	Stone	
Childs	Gilmore	Nabors	Torbert	
Clark	Goodwyn	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

H. 306. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16 North, Range 18 East, Montgomery County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pierce	
Albea	Folsom	Lindsey	Skidmore	
Bailes	Giles	Lolley	Stone	
Branyon	Gilmore	McCarley	Torbert	
Carr	Goodwyn	McDermott	Turner	
Childs	Hawkins	Morrow	Vacca	
Clark	Jackson			—25

Nays: —0

The Bill:

H. 508. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Radney	
Albea	Folsom	Lindsey	Skidmore	
Bailes	Giles	Morrow	Stone	
Branyon	Gilmore	Nabors	Torbert	
Carr	Harris	Oden	Turner	
Childs	Hawkins	Pierce	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

H. 507. Relating to the office of sheriff in counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census; providing for an allowance for uniforms for the sheriff, his deputies and other employees of the sheriff's department in all such counties; authorizing the sheriff in all such counties to appoint two additional deputies sheriff; and providing for the compensation of such additional deputies.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Jackson	Oden	
Branyon	Giles	Leonard	Skidmore	
Carr	Gilmore	Lindsey	Stone	
Childs	Givhan	Lolley	Torbert	
Clark	Goodwyn	McCarley	Turner	
Cooper	Harris	McDermott	Vacca	
Dominick	Hawkins			—25

Nays: —0

The Bill:

H. 506. Relating to Lawrence County; to authorize the coroner of such county to appoint an assistant coroner.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Radney	
Branyon	Givhan	McDermott	Skidmore	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	Oden	Turner	
Cooper	Jackson	Pierce	Vacca	
Dominick	Lolley			—25

Nays: —0

The Bill:

H. 291. To amend Act No. 624, H. 1001, of the 1965 Regular Session (Acts of Alabama 1965, p. 1137), which applies only to certain counties classified on a population basis, and further regulates the filing for record of certain legal documents, makes unlawful the filing thereof unless certain endorsements are entered on such documents, provides that the falsification of such endorsements is a misdemeanor, and exempts judges of probate of the counties to which it applies from liability for errors in the performance of the duties imposed by the act if such errors are committed in good faith, so as to change the population span of the classification used in the act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Radney	
Branyon	Giles	Lolley	Skidmore	
Carr	Goodwyn	McDermott	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Pelham	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 505. To amend Act No. 272, H. 688, Regular Session 1949 (Acts 1949, p. 399) which fixes the compensation of the coroner of Lawrence County; to provide further for the compensation of such coroner.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Nabors	
Albea	Folsom	Lindsey	Oden	
Bailes	Giles	Lolley	Pierce	
Branyon	Gilmore	McCarley	Radney	
Carr	Givhan	McDermott	Skidmore	
Childs	Goodwyn	Morrow	Stone	
Clark	Harris			—25

Nays: —0

The Bill:

H. 504. To amend Act No. 119, H. 24, of the Special Session of 1967 (Acts of 1967, p. 166) which relates to the government of Lawrence County and, among other things, establishes the court of county commissioners of Lawrence County and provides for the organization, powers, jurisdiction and duties of such court and for the qualifications, election and compensation of the members thereof, amending Section 2 of such act in order to provide for the nomination and the election of members of such court of county commissioners by the county at large.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Radney	
Branyon	Givhan	Lolley	Skidmore	
Carr	Goodwyn	McCarley	Stone	
Childs	Harris	McDermott	Torbert	
Clark	Hawkins	Oden	Turner	
Cooper	Jackson	Pierce	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

S. 465. To amend Code of Alabama 1940, Title 37, Section 540, which relates to the power of certain cities, classified according to population, to abate or reduce assessments made for public improvements, in order to make this section applicable to other cities, also classified according to population.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Harris	O'Bannon	
Albea	Dominick	Jackson	Oden	
Bailes	Engel	Leonard	Pelham	
Branyon	Folsom	Lindsey	Pierce	
Carr	Giles	Morrow	Torbert	
Childs	Gilmore	Nabors	Turner	
Clark	Givhan			—25

Nays: —0

The Bill:

H. 457. Relating to counties having populations of not less than 36,600 nor more than 37,600 according to the most recent federal decennial census; to provide further for expense allowances for the judge of the county court in all such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Leonard	Pelham	
Albea	Engel	Lindsey	Pierce	
Bailes	Folsom	Lolley	Radney	
Branyon	Giles	McCarley	Stone	
Carr	Gilmore	McDermott	Turner	
Childs	Givhan	Morrow	Vacca	
Clark	Goodwyn			—25

Nays: —0

The Bill:

H. 372. To authorize county boards of education in all counties having a population of not less than 33,000 nor more than 35,000, to appoint the superintendent of education for such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Oden	
Albea	Giles	Lolley	Pelham	
Bailes	Gilmore	McCarley	Pierce	
Branyon	Givhan	McDermott	Radney	
Carr	Goodwyn	Morrow	Skidmore	
Childs	Harris	Nabors	Stone	
Engel	Jackson			—25

Nays: —0

The Bill:

H. 395. To regulate the compensation of the county superintendent of education of counties having a population of 10,800 to 12,000 according to the latest federal census; and repeal conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Jackson	Pelham	
Albea	Dominick	Leonard	Pierce	
Bailes	Engel	McDermott	Radney	
Branyon	Folsom	Morrow	Skidmore	
Carr	Goodwyn	Nabors	Torbert	
Childs	Harris	O'Bannon	Vacca	
Clark	Hawkins			—25
Nays:				—0

The Bill:

H. 415. To alter, rearrange and establish commissioners districts in Pickens County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Branyon	Giles	McCarley	Skidmore	
Childs	Gilmore	McDermott	Stone	
Clark	Givhan	Morrow	Torbert	
Cooper	Goodwyn	Pelham	Turner	
Dominick	Leonard			—25
Nays:				—0

The Bill:

H. 416. Relating to Pickens County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McDermott	Radney	
Branyon	Givhan	Morrow	Skidmore	
Carr	Goodwyn	Nabors	Stone	
Childs	Harris	O'Bannon	Torbert	
Clark	Hawkins	Oden	Turner	
Cooper	Jackson	Pierce	Vacca	
Dominick	McCarley			—25
Nays:				—0

The Bill:

H. 417. Providing expense allowances for members of the governing bodies of counties having populations of not less than 16,500 nor more than

17,500, to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	McDermott	Pierce	
Albea	Giles	Morrow	Radney	
Bailes	Gilmore	Nabors	Stone	
Branyon	Givhan	O'Bannon	Torbert	
Carr	Jackson	Oden	Turner	
Childs	Lindsey	Pelham	Vacca	
Engel	McCarley			—25

Nays: —0

The Bill:

H. 323. Relating to the eighteenth Judicial Circuit; providing for separation of Jury by consent in the Circuit Courts of the counties composing such circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Jackson	O'Bannon	
Albea	Dominick	Leonard	Oden	
Bailes	Engel	Lindsey	Skidmore	
Branyon	Folsom	McCarley	Stone	
Carr	Giles	Morrow	Torbert	
Childs	Harris	Nabors	Turner	
Clark	Hawkins			—25

Nays: —0

CALENDAR BILLS POSTPONED TO DAY CERTAIN

On motion of Mr. McCarley, further consideration of the Bills, H. B.'s 322 and 321, was postponed until the Sixteenth Legislative Day.

BILLS ON THIRD READING RESUMED

The Bill:

H. 319. To apply only in counties having populations of not less than 25,800 nor more than 26,700; to provide for the appointment of the County Superintendent of Education; to prescribe his qualifications, duties and term of office; and to repeal all conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	McDermott	Pierce	
Albea	Giles	Morrow	Radney	
Bailes	Gilmore	Nabors	Stone	
Branyon	Givhan	O'Bannon	Torbert	
Carr	Jackson	Oden	Turner	
Dominick	Leonard	Pelham	Vacca	
Engel	Lolley			—25

Nays: —0

The Bill:

H. 307. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 5, Township 15 North, Range 18 East, Montgomery County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	McCarley	Pierce	
Branyon	Folsom	McDermott	Skidmore	
Carr	Giles	Morrow	Stone	
Childs	Gilmore	Nabors	Torbert	
Clark	Goodwyn	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

S. 452. Relating to counties having a population of not less than 32,200 nor more than 35,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	McDermott	Pierce	
Albea	Goodwyn	Morrow	Skidmore	
Childs	Harris	Nabors	Stone	
Clark	Jackson	O'Bannon	Torbert	
Cooper	Lindsey	Oden	Turner	
Dominick	Lolley	Pelham	Vacca	
Engel	McCarley			—25

Nays: —0

The Bill:

H. 448. Relating to the office of the sheriff of Covington County; providing for the compensation of the chief deputy sheriff and for the appointment, number, duties and compensation of additional deputies; repealing conflicting laws and specifically repealing the following acts relating to the salary of the chief deputy sheriff and to the number and compensation of the additional deputies: Act No. 269, H. 615; Act No. 270, H. 616 and Act No. 382, H. 75 all of the Regular Session 1953 (Acts 1953, pp. 338; 339; 452); Act No. 46, H. 205 and Act No. 47, H. 206 both of the Regular Session 1957 (Acts 1957, p. 90).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lolley	Pelham	
Albea	Giles	McCarley	Pierce	
Bailes	Gilmore	McDermott	Radney	
Branyon	Givhan	Morrow	Skidmore	
Carr	Goodwyn	Nabors	Stone	
Childs	Leonard	Oden	Turner	
Engel	Lindsey			—25

Nays: —0

The Bill:

S. 436. To provide for the supplemental compensation of the Circuit Judges of the 31st Judicial Circuit, and providing that the supplemental compensation herein provided, shall be in lieu of any and all other salary supplements heretofore authorized.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Radney	
Branyon	Givhan	Lolley	Skidmore	
Carr	Goodwyn	McCarley	Stone	
Childs	Harris	McDermott	Torbert	
Clark	Hawkins	Morrow	Turner	
Cooper	Jackson	O'Bannon	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 436. Relating to counties having populations of not less than 76,000 nor more than 96,000; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Albea	Engel	Lindsey	Pierce	
Branyon	Folsom	Lolley	Stone	
Carr	Giles	Nabors	Torbert	
Childs	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25
Nays:				—0

The Bill:

H. 433. Relating to counties having a population of not less than 76,000 and not more than 96,000 according to the last and any subsequent federal decennial census; to authorize county governing bodies to provide clerk hire allowances for the offices of the county solicitor or deputy district attorney.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	McCarley	Radney	
Albea	Gilmore	McDermott	Skidmore	
Branyon	Givhan	Morrow	Stone	
Carr	Goodwyn	Nabors	Torbert	
Childs	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25
Nays:				—0

The Bill:

H. 630. Relating to Greene County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Branyon	Giles	McCarley	Skidmore	
Childs	Harris	McDermott	Stone	
Clark	Hawkins	Oden	Turner	
Cooper	Jackson	Pelham	Vacca	
Dominick	Leonard			—25
Nays:				—0

The Bill:

H. 664. Relating to Shelby County; levying a tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in

Shelby County, Alabama, for any use, gasoline, and diesel fuel as defined by this Act; providing for the collection and enforcement of the tax; and prescribing and restricting the use to which the proceeds thereof may be applied.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Pelham	
Branyon	Givhan	McCarley	Pierce	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 662. Relating to Pike County; to provide for election of County Commissioners by the qualified electors of the county at large.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	Leonard	Oden	
Branyon	Gilmore	Lolley	Skidmore	
Carr	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

H. 624. Relating to Conecuh County; providing further for the compensation of the deputy sheriffs of said county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McCarley	Skidmore	
Branyon	Gilmore	McDermott	Stone	
Carr	Givhan	Morrow	Torbert	
Childs	Goodwyn	Pelham	Turner	
Cooper	Leonard			—25

Nays: —0

The Bill:

H. 611. To alter, rearrange, extend, and redefine the boundaries and corporate limits of the Town of Blountsville in Blount County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	Morrow	Stone	
Carr	Gilmore	Nabors	Torbert	
Clark	Givhan	Oden	Turner	
Cooper	Goodwyn	Pelham	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 608. To alter, rearrange and extend the boundary lines and corporate limits of the town of Clayton in Barbour County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McCarley	Skidmore	
Branyon	Gilmore	McDermott	Stone	
Carr	Givhan	Morrow	Torbert	
Clark	Goodwyn	Pelham	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 549. Relating to the City of Troy in Pike County: To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Leonard	Oden	
Albea	Gilmore	Lolley	Skidmore	
Bailes	Givhan	McDermott	Stone	
Branyon	Goodwyn	Morrow	Torbert	
Carr	Harris	Nabors	Turner	
Childs	Hawkins	O'Bannon	Vacca	
Clark	Jackson			—25

Nays: —0

The Bill:

H. 536. Relating to law enforcement in Conecuh County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	McDermott	Radney	
Albea	Givhan	Morrow	Skidmore	
Bailes	Goodwyn	Nabors	Stone	
Branyon	Harris	O'Bannon	Torbert	
Carr	Hawkins	Oden	Turner	
Childs	Jackson	Pierce	Vacca	
Cooper	Leonard			—25

Nays: —0

The Bill:

H. 540. Relating to counties having populations of not less than 150,000 nor more than 300,000; to provide further for the duties and authority of the judge of probate; and to prescribe further the manner of keeping records and recording documents, instruments and paper; to provide for the discontinuance of keeping copies or prints or records in well-bound books.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Nabors	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	Lolley	Skidmore	
Branyon	Gilmore	McCarley	Stone	
Carr	Goodwyn	McDermott	Torbert	
Childs	Hawkins	Morrow	Turner	
Clark	Jackson			—25

Nays: —0

The Bill:

H. 541. Relating to counties having populations of not less than 150,000 nor more than 300,000; to provide further for the duties and authority of the judge of probate in such counties; to authorize and permit the discontinuance of keeping both "Minute Books" and "Final Record Books;" to authorize the probate judge to adopt and promulgate reasonable rules and regulations controlling public access to the system of recording and preserving records; to provide the manner of keeping records of the probate of wills; to prescribe the procedure for selling copies of certain records; and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	McCarley	Pierce	
Branyon	Folsom	McDermott	Skidmore	
Carr	Giles	Morrow	Stone	
Childs	Gilmore	Nabors	Torbert	
Clark	Goodwyn	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

S. 470. To change the method of compensating certain officers of Tallapoosa County; placing such officers on a salary basis at the expiration of certain terms and providing for the operation of their offices on such basis; providing that this act shall be subject to the ratification of a certain amendment to the Constitution and the approval of the voters of Tallapoosa County voting thereon.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Pelham	
Albea	Giles	Lindsey	Radney	
Bailes	Gilmore	Lolley	Stone	
Branyon	Givhan	Nabors	Torbert	
Carr	Harris	O'Bannon	Turner	
Dominick	Hawkins	Oden	Vacca	
Engel	Jackson			—25

Nays: —0

The Bill:

S. 469. To alter, rearrange and extend the boundary of the City of Alexander City, Alabama, so as to include within the corporate limits thereof certain additional territory located in Section 22, Township 23 North, Range 21 East, Tallapoosa County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lolley	Oden	
Branyon	Givhan	McCarley	Radney	
Carr	Goodwyn	McDermott	Stone	
Childs	Harris	Morrow	Torbert	
Clark	Hawkins	Nabors	Turner	
Cooper	Jackson	O'Bannon	Vacca	
Dominick	Lindsey			—25

Nays: —0

The Bill:

S. 468. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Tallapoosa County.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Radney	
Branyon	Givhan	McDermott	Skidmore	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lolley			—25

Nays: —0

The Bill:

S. 467. Relating to Tallapoosa County; to abolish the office of county treasurer and to provide for the selection of a county depository, to repeal Act No. 83, H. 266, Regular Session 1935 (Local Acts 1935, p. 19) which creates the office of county treasurer for Tallapoosa County.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Harris	Morrow	
Albea	Engel	Leonard	Pelham	
Bailes	Folsom	Lindsey	Pierce	
Branyon	Giles	Lolley	Radney	
Carr	Gilmore	McCarley	Skidmore	
Childs	Givhan	McDermott	Torbert	
Clark	Goodwyn			—25

Nays: —0

The Bill:

S. 466. Relating to counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; to amend Act No. 628, H. 820, Regular Session 1967 (Acts 1967, p. 1431), an act which provides further for clerk hire allowances for certain county officers, and repeals conflicting laws, amending such act in relation to the clerk hire allowance for the circuit clerk.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Radney	
Albea	Givhan	McDermott	Skidmore	
Bailes	Goodwyn	Morrow	Stone	
Carr	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lolley			—25
Nays:				—0

The Bill:

H. 650. To alter, rearrange and extend the boundary lines and corporate limits of the town of Town Creek in Lawrence County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Radney	
Albea	Giles	Lolley	Skidmore	
Bailes	Gilmore	McCarley	Stone	
Branyon	Givhan	McDermott	Torbert	
Carr	Goodwyn	Oden	Turner	
Childs	Harris	Pierce	Vacca	
Engel	Leonard			—25
Nays:				—0

The Bill:

H. 509. To propose an amendment to the Constitution of Alabama relating to Lawrence County that would empower each school district in said county, when authorized at an election therein, to levy and collect a special five mill district school tax on the assessed valuation of the taxable property in such district for public school purposes in such district, and conferring upon the county board of education of said county the power under some circumstances and without an election to change the boundaries of any school district in said county or consolidate any two or more school districts therein.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Radney	
Branyon	Folsom	McDermott	Skidmore	
Carr	Giles	Morrow	Stone	
Childs	Goodwyn	Nabors	Torbert	
Clark	Harris	Oden	Turner	
Cooper	Hawkins	Pierce	Vacca	
Dominick	Leonard			—25
Nays:				—0

The Bill:

S. 293. Relating to counties having a population of not less than 33,000 nor more than 35,000; to authorize the boards of registrars in such counties to meet an additional ten days per year and to be paid a travel allowance.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, S. B. 293, to-wit:

AMENDMENT TO S. B. 293

Amend Section 1 of S. B. 293 as follows: On line 5 of Section 1 delete the period after the word "law" and add "outside of county seat in municipalities to be designated by the county board of revenue."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Oden	
Branyon	Folsom	Lindsey	Skidmore	
Carr	Giles	Lolley	Stone	
Childs	Gilmore	McCarley	Torbert	
Clark	Givhan	McDermott	Turner	
Cooper	Goodwyn	Morrow	Vacca	
Dominick	Harris			—25

Nays: —0

And said Bill, S. B. 293, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Oden	
Branyon	Folsom	Lindsey	Skidmore	
Carr	Giles	Lolley	Stone	
Childs	Gilmore	McCarley	Torbert	
Clark	Givhan	McDermott	Turner	
Cooper	Goodwyn	Morrow	Vacca	
Dominick	Harris			—25

Nays: —0

The Bill:

H. 37. Proposing an amendment to the Constitution of Alabama providing for a special school tax in school districts numbers one and two in Colbert County.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Leonard	O'Bannon	
Albea	Engel	Lindsey	Pelham	
Bailes	Folsom	Lolley	Pierce	
Branyon	Giles	McCarley	Radney	
Carr	Gilmore	McDermott	Skidmore	
Childs	Givhan	Morrow	Stone	
Clark	Goodwyn			—25

Nays: —0

The Bill:

H. 197. To amend act proposed at the Special Session of the Alabama Legislature, 1969, by House Bill 90 in order to include children suffering from dyslexia among the children entitled to assistance under such law.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Albea	Folsom	McCarley	Pierce	
Bailes	Gilmore	McDermott	Skidmore	
Branyon	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick				—28

Nays: —0

The Bill:

S. 513. Relating to the Thirty-first Judicial Circuit; extending the powers, authority and duties of the District Attorney of any such Judicial Circuit so as to empower, authorize and require that such District Attorney supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary, in any and all inferior courts located and constituted in the county composing any such judicial circuit; creating the office of deputy District Attorney for any such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of such deputy District Attorney and for his compensation, and further providing that such compensation shall be paid out of the general fund of the county composing any such judicial circuit; authorizing the District Attorney of such circuit to appoint a stenographic secretary, and providing for the payment of said secretary's compensation from the general funds of the county constituting such circuit; providing for the supplemental compensation of the District Attorney of the 31st Judicial Circuit and that such supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Radney	
Branyon	Givhan	Lolley	Skidmore	
Carr	Goodwyn	McCarley	Stone	
Childs	Harris	McDermott	Torbert	
Clark	Hawkins	Morrow	Turner	
Cooper	Jackson	O'Bannon	Vacca	
Dominick	Leonard			—25
Nays:				—0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Leonard, further consideration of the Bill, H. B. 220, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 492. To create offices of Deputy District Attorney No. 1, Deputy District Attorney No. 2, and Deputy District Attorney No. 3 of the Sixth Judicial Circuit and provide for the appointment, duties and compensation of such offices.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pierce	
Albea	Folsom	McDermott	Skidmore	
Bailes	Giles	Morrow	Stone	
Carr	Gilmore	Nabors	Torbert	
Childs	Goodwyn	O'Bannon	Turner	
Clark	Harris	Oden	Vacca	
Cooper	Jackson			—25
Nays:				—0

The Bill:

S. 224. To amend Title 14, Section 245, Code of Alabama 1940, which prohibits minors from playing pool in poolrooms.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 1.

Yeas:

Messrs.:	Dominick	Lolley	Radney	
Albea	Engel	McCarley	Skidmore	
Bailes	Giles	McDermott	Stone	
Carr	Givhan	Morrow	Torbert	
Childs	Goodwyn	Nabors	Turner	
Clark	Harris	O'Bannon	Vacca	
Cooper	Lindsey	Pelham		—26
Nay:	Mr. Branyon			—1

The Bill:

H. 52. To apply only in Elmore County; fixing the fee for issuance of pistol permits by the sheriff and providing for distribution and use of such fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Pelham	
Branyon	Givhan	McDermott	Radney	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lolley			—25

Nays: —0

The Bill:

H. 53. To fix the allowance for travel expenses provided the sheriff of Elmore County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	O'Bannon	
Albea	Engel	Leonard	Oden	
Branyon	Folsom	Lindsey	Radney	
Carr	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins			—25

Nays: —0

The Bill:

H. 54. To amend further Section 6 of Act No. 49, H. 213, Regular Session 1957, an act providing for a chief deputy sheriff and other deputies of the sheriff of Elmore County and regulating their compensation and allowances.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Pelham	
Branyon	Givhan	McDermott	Radney	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lolley			—25

Nays: —0

The Bill:

H. 55. Relating to Elmore County; providing expense allowances for members of the board of equalization of Elmore County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	McCarley	Pelham	
Branyon	Gilmore	McDermott	Radney	
Carr	Givhan	Morrow	Stone	
Childs	Goodwyn	Nabors	Torbert	
Clark	Harris	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

H. 56. Relating to Elmore County; providing expense allowances for members of the county board of registrars.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Jackson	Oden	
Branyon	Giles	Leonard	Pelham	
Carr	Gilmore	Lindsey	Pierce	
Childs	Givhan	Lolley	Radney	
Clark	Goodwyn	Nabors	Turner	
Cooper	Harris	O'Bannon	Vacca	
Dominick	Hawkins			—25

Nays: —0

The Bill:

S. 128. Making an appropriation from the state treasury for the relief of G. W. Hardwick of Enterprise, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Oden	
Albea	Engel	Lolley	Pelham	
Bailes	Folsom	McCarley	Pierce	
Branyon	Giles	McDermott	Stone	
Carr	Gilmore	Morrow	Torbert	
Childs	Givhan	Nabors	Turner	
Clark	Goodwyn	O'Bannon	Vacca	
Cooper	Harris			—29

Nays: —0

The Bill:

S. 371. To abolish the Fort Morgan Historical Commission and to place its powers, duties, personnel, property, and funds under the jurisdiction of the Division of State Parks, Monuments, and Historical Sites of the Department of Conservation and to create the Fort Morgan Historical Advisory Commission.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 27; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pierce
Albea	Folsom	McCarley	Radney
Bailes	Giles	McDermott	Skidmore
Carr	Gilmore	Morrow	Stone
Childs	Givhan	Nabors	Torbert
Clark	Goodwyn	Oden	Turner
Cooper	Harris	Pelham	Vacca

—27

Nays: —0

The Bill:

S. 479. To amend Title 22, Section 236, Code of Alabama 1940, as amended, by requiring a pharmacist to maintain separate prescription files for narcotic prescriptions.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pierce
Albea	Engel	Lindsey	Radney
Bailes	Giles	Lolley	Skidmore
Branyon	Gilmore	McCarley	Stone
Carr	Givhan	McDermott	Torbert
Childs	Goodwyn	Morrow	Turner
Clark	Harris	Nabors	Vacca
Cooper	Hawkins	Pelham	

—30

Nays: —0

The Bill:

S. 212. To amend further the Farmers Market Authority Act, Act No. 672, S. 99 of the Regular Session of 1965, (Acts of Alabama 1965, p. 1208), so as to authorize the establishment of marketing facilities for additional agricultural products, and to authorize and regulate the sales, alienation and conveyance of markets, market facilities and appurtenances thereto by the Farmers Market Authority; to fix the annual salary of the Administrator of the Farmers Market Authority; to authorize the use of funds collected for capital outlay, maintenance, repairs and operating expenses for markets; and to lengthen the period for which space or facilities at markets may be

leased or contracted for; to repeal Act No. 221, H. 178, Legislature of 1969, Special Session, approved May 15, 1969.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 30; Nays 0.

Yeas:

Messrs.:	Folsom	Lolley	Pierce	
Albea	Gilmore	McCarley	Radney	
Bailes	Givhan	McDermott	Skidmore	
Branyon	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Leonard	Oden	Vacca	
Dominick	Lindsey	Pelham		—30

Nays: —0

The Bill:

S. 446. To amend Sections 202, 203, Paragraph 1 of Subsection A, and Paragraphs 3 and 4 of Subsection B, and Subsection F, and Subsection G and Subsection H, (all said paragraphs and subsections being in Section 204), Section 207, Paragraph 1 of Subsection D and Paragraph 1 of Subsection L of Section 214, Title 26, Code of Alabama 1940, as amended, all relating to unemployment compensation.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, S. B. 446, to-wit:

AMENDMENT TO SENATE BILL 446

Amend Section 12 of Senate Bill 446 by deleting the figures "9, 10 and 11" and inserting in lieu thereof the figures "8, 9 and 10."

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Pelham	
Albea	Giles	Lolley	Pierce	
Bailes	Gilmore	McCarley	Radney	
Branyon	Givhan	McDermott	Skidmore	
Childs	Goodwyn	Morrow	Stone	
Clark	Harris	Nabors	Torbert	
Cooper	Hawkins	O'Bannon	Turner	
Dominick	Leonard	Oden	Vacca	
				—31

Nays: —0

And said Bill, S. B. 446, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 30; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Pierce	
Albea	Giles	Lolley	Radney	
Bailes	Gilmore	McCarley	Skidmore	
Branyon	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Engel	Leonard	Pelham		—30
Nays:				—0

The Bill:

S. 5. To amend further Code of Alabama 1940, Title 52, Section 495, which relates to meetings of the board of trustees of the University of Alabama, in relation to the places of such meetings.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 28; Nays 0.

Yeas:

Messrs.:	Gilmore	Lolley	Pierce	
Albea	Givhan	McCarley	Radney	
Bailes	Goodwyn	Morrow	Skidmore	
Branyon	Harris	Nabors	Stone	
Carr	Hawkins	O'Bannon	Torbert	
Childs	Leonard	Oden	Turner	
Cooper	Lindsey	Pelham	Vacca	
Folsom				—28
Nays:				—0

The Bill:

S. 208. To promote highway safety; to authorize the director of public safety to enter into agreements with authorities in charge of federal military installations providing for and regulating the reciprocal recognition of point values assessed against drivers of motor vehicles because of violations of motor vehicle and traffic laws under the Traffic Point Systems applicable in the State of Alabama and on such installations.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	McCarley	Pierce	
Albea	Gilmore	McDermott	Radney	
Branyon	Goodwyn	Morrow	Skidmore	
Childs	Harris	Nabors	Stone	
Clark	Leonard	O'Bannon	Turner	
Cooper	Lindsey	Pelham	Vacca	
Dominick	Lolley			—25
Nays:				—0

The Bill:

S. 485. To amend an Act of the General Assembly of Alabama approved February 15, 1876, and entitled "an Act to Regulate Public Schools in the County of Mobile" as last amended by Act of the Legislature of Alabama approved September 14, 1963, by amending Section 5 thereof by including, in the powers of the Board of School Commissioners of Mobile County, the power to employ and pay guards, watchmen, security personnel, or other functionaries, by whatever name called, to preserve the grounds, school buildings and other structures of any character; that belong to or are in the possession of and are under the control of the Board of School Commissioners of Mobile County; from trespass, vandalism, theft, fire or damage of any character; whether or not of like kind with those just stated; and to invest the said guards, watchmen, security personnel, or other functionaries with the right to use such force as may be necessary in the performance of their duties under and pursuant to their employment under the authority of this Act; and the power to let any property which it may own in fee simple; and any property of which, though not owned by it, the Board shall have the statutory right and power of direction, management and control; for any term or period that may seem to the Board, in the exercise of a sound discretion, proper, not to exceed 99 years, provided however, that the Barton Academy Buildings and property are excepted from the said power to let, and provided further that if the lease be for a term exceeding 50 years and the value of such property shall exceed $5,000 the lease, to be valid, shall receive the unnanimous vote of the said Board and be approved by the Judge of Probate of Mobile County; and provided further that the restriction touching the necessity for unanimous vote of the Board and approval by the Probate Judge shall not apply to leases that may have been made prior to the first day of June, 1969.

was taken up.

Mr. McDermott offered the following substitute for the Bill, S. B. 485, to-wit:

SUBSTITUTE FOR S. 485

A BILL
TO BE ENTITLED
AN ACT

To amend an Act of the General Assembly of Alabama approved February 15, 1876, and entitled "An Act to Regulate Public Schools in the County of Mobile" as last amended by Act of the Legislature of Alabama approved September 14, 1963, by amending Section 5 thereof by including, in the powers of the Board of School Commissioners of Mobile County, the power to employ and pay guards, watchmen, security personnel, or other functionaries, by whatever name called, to preserve the grounds, school buildings and other structures of any character; that belong to or are in the possession of and are under the control of the Board of School Commissioners of Mobile County; from trespass, vandalism, theft, fire or damage of any character; whether or not of like kind with those just stated; and to invest the said guards, watchmen, security personnel, or other functionaries with the right to use such force as may be necessary in the performance of their duties under and pursuant to their employment under the authority of this Act; and the power to let any property which it may own in fee simple; and any property of which, though not owned by it, the Board shall have the statutory right and power of direction, management and control; for any term or pe-

riod that may seem to the Board, in the exercise of a sound discretion, proper, not to exceed 99 years, provided however, that the Barton Academy Buildings and property are excepted from the said power to let, and provided further that if the lease be for a term exceeding 50 years and the value of such property shall exceed $5,000 the lease, to be valid, shall receive the unanimous vote of the said Board and be approved by the Judge of Probate of Mobile County; and provided further that the restriction touching the necessity for unanimous vote of the Board and approval by the Probate Judge shall not apply to leases that may have been made prior to the first day of June, 1969, nor to any leases that may be made to land in Section 16 in Township 4 South of Range 2 West in Mobile County.

Be it Enacted by the Legislature of Alabama:

That an Act of the General Assembly of Alabama approved February 15th, 1876, entitled "An Act to Regulate Public Schools in the County of Mobile" as last amended by Act of the Legislature of Alabama approved September 14th, 1963, be amended by amending Section 5 thereof so as to read as follows: Section 5. Be it further enacted, that the said Board of School Commissioners shall be entitled to receive, levy, assess and collect all devises, revenues and taxes to which they were by law entitled at the date of the organization of the Board of Education of the State of Alabama; and that they shall have full power to continue in force, revise, modify and improve, as to them may seem fit, the public school system now existing in the County of Mobile, and to make such by-laws, rules and regulations, not inconsistent with the laws of the State and of the United States, for the government of the Board and of said schools, as they may deem expedient or necessary. They shall hold regular meetings of the said Board at such times as they may fix upon, and adjourned or special meetings when necessary. Three members of the Board shall constitute a quorum for the transaction of business, but no business involving a change in the system, rules and regulations, or affecting the general interest of the County, shall be transacted except at a regular meeting, after due notice given, or when a full Board is in attendance. The said Board shall be a body corporate; and may have a common seal; may sue and be sued; may, when the Board deems such desirable, appoint or employ attorneys and pay to them agreed compensation in such manner or fashion as may to the Board seem best; shall have the power to purchase or lease such property for school purposes as in their judgment may be necessary for the proper accommodation and comfort of pupils and teachers, and fix the compensation and bonds of its officers, agents and employees, and change the same at pleasure; provided that the sum or sums so expended shall not exceed, in any one year, twenty per centum (20%) of the income of said board; and provided further that said 20% limitation shall have no application to sums expended for the constructing, furnishing or equipping of school buildings. The said Board shall also have power to sell or exchange any of said property—The Barton Academy buildings and property only excepted —provided, that when the value of such property shall not exceed five thousand dollars, four of the members of the said Board shall vote in favor of the sale, and when the value exceeds five thousand dollars, the sale, to be valid, shall receive the unanimous vote of said Board and be approved by the Judge of Probate of Mobile County. The said Board shall also have power to let any property which it may own in fee simple; and any property of which, though not owned by it, the Board shall have the statutory right and power of direction, management and control; for any term or period that may seem to the Board, in the exercise of sound discretion, proper, not exceeding ninety nine (99) years, provided, however, that the Barton Academy buildings and prop-

erty are excepted from the said power to let, and provided further, that if the lease be for a term exceeding fifty (50) years and not exceeding ninety nine (99) years, and the value of such property shall exceed five thousand ($5,000) dollars, the lease to be valid, shall receive the unanimous vote of the said Board and be approved by the Judge of Probate of Mobile County; and provided further, that the restriction touching the necessity for unanimous vote of the Board and approval by the Probate Judge, shall not apply to any leases that may have been made prior to the first day of June, 1969, nor to any leases that may be made to land in Section 16 of Township 4 South of Range 2 West in Mobile County. The said Board shall also have the power to effect and take insurance upon its property and against all risks and hazards, whether of loss or damage to its property, or of risks and claimed liability as for asserted damage to others, whether or like kind with insurance upon property or not, and including any and every kind, character and description of insurance that may be affected, taken or carried by a private person or corporation, for protection against risks now coverable by any kind of insurance, or that may hereafter be coverable by any kind of insurance, under the law and in accordance with the practice of underwriting; in effecting and taking such insurance, the Board shall have the power to effect and take insurance and cause itself to be insured in any class, type or kind of insurance company, including mutual insurance companies, that, in the discretion of the Board, may seem to it wise, expedient or proper; provided, however, that nothing herein contained shall affect, overcome, or supersede the provisions of Title 28, Sections 317-328, of the Code of Alabama of 1940. The said Board shall have the power also, in the exercise of reasonable prudence, to invest funds derived from the sale of capital outlay warrants and held pending the expenditure thereof for the contemplated capital improvements, and funds from any other source accumulated and held in advance of expenditure by the Board in the operation of the public schools of the county, in obligations of the United States of America, whether interest-bearing obligations or obligations purchased at discount. The said Board shall have the power also to employ and pay guards, watchmen, security personnel, or other functionaries, by whatever name called, to preserve the grounds, school buildings and other structures of any character that belong to or are in possession of and are under the control of the Board of School Commissioners of Mobile County; from trespass, vandalism, theft, fire or damage of any character; whether or not of like kind with those just stated, with the authority to use such force as may be reasonably necessary in the performance of their duties under and pursuant to their employment under the authority of this Act.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Leonard	Oden	
Albea	Engel	Lindsey	Pelham	
Bailes	Giles	Lolley	Stone	
Branyon	Goodwyn	McDermott	Torbert	
Carr	Harris	Nabors	Turner	
Childs	Hawkins	O'Bannon	Vacca	
Clark	Jackson			—25

Nays: —0

And said Bill, S. B. 485, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Bailes	Gilmore	Lindsey	Radney	
Branyon	Givhan	Lolley	Skidmore	
Carr	Goodwyn	McDermott	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson			—25
Nays:				—0

POINT OF PERSONAL PRIVILEGE

Mr. Radney stated that had he been present when the Resolution, HJR 55, was adopted by the Senate on the Thirteenth Legislative Day, he would have opposed the adoption of said Resolution.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 16. To amend Section 3 of Act No. 441, Acts of Alabama, Regular Session 1967, page 1114, relating to all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent Federal decennial census, further regulating the compensation and allowances of the chairmen and members of the court of county commissioners, board of revenue, or other like county governing body; to provide for actual expenses for travel outside the county on county business and to validate payments heretofore made for such travel.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately atfer its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 326. Relating to Russell County: To create and establish in Russell County a court with county-wide limited jurisdiction of certain criminal cases and civil actions at law to be known as the "Court of Common Pleas of Russell County," defining its jurisdiction, providing it with officers and prescribing their powers, duties, compensation, terms of office, and the manner of their selection, appointment or election; regulating its procedure and process

and the return of warrants thereto; abolishing the existing county court of Russell County, and providing for the transfer and trial of cases pending in the abolished court to the newly created Court of Common Pleas of Russell County.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 350. Relating to all counties having populations of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; to prescribe the qualifications of the county superintendent of education in each such county; and to regulate his compensation and expense allowances.

Also:

H. 591. To amend further Section 1 of Act No. 99, H. 437, Regular Session 1957, as amended, an act fixing the compensation of the county superintendent of education of Washington County, relative to the amount of compensation of said superintendent.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

UNFINISHED BUSINESS

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 386. To amend Section 91 of Title 36 of the Code of Alabama of 1940, as amended, which authorizes the director of the highway department to issue special permits for movement of certain oversize vehicles; so as to further provide for fees for issuance of said permits; and to repeal Section 91 (1) of Title 36 of the Code of Alabama of 1940, as amended.

and pending Harris amendment, which said amendment is set out in the Journal of the Senate for the Thirteenth Legislative Day.

Mr. Oden moved that said amendment to the Bill, S. B. 386, be laid on the table, which motion was lost.

Yeas 13; Nays 15.

Yeas:

Messrs.:	Folsom	Lindsey	Skidmore	
Carr	Giles	Lolley	Stone	
Clark	Goodwyn	Oden	Torbert	
Engel	Leonard			—13

Nays:

Messrs.:	Dominick	McCarley	Pelham	
Albea	Givhan	Morrow	Pierce	
Bailes	Harris	Nabors	Radney	
Childs	Hawkins	O'Bannon	Turner	
				—15

Mr. Oden then moved that further consideration of the Bill, S. B. 386, and pending amendment, be postponed until the next Legislative Day. Mr. Bailes moved that the motion to postpone be laid on the table, which motion was lost.

Yeas 3; Nays 27.

Yeas:

Messrs.:	Bailes	Childs	Dominick	
				—3

Nays:

Messrs.:	Givhan	Lolley	Pelham	
Albea	Goodwyn	McCarley	Radney	
Carr	Harris	McDermott	Skidmore	
Clark	Hawkins	Morrow	Stone	
Engel	Jackson	Nabors	Torbert	
Folsom	Leonard	O'Bannon	Turner	
Giles	Lindsey	Oden	Vacca	
				—27

The question recurred on the motion of Mr. Oden, which was adopted, and further consideration of the Bill, S. B. 386, and pending amendment, was postponed until the next Legislative Day.

The Bill:

S. 82. To be known as the Alabama Consumer Credit Code, relating to certain consumer and other credit transactions and constituting the uniform consumer credit code; consolidating and revising certain aspects of the law relating to consumer and other loans, consumer and other sales of goods, services and interests in land, and consumer leases; revising the law relating to usury; regulating certain practices relating to insurance in consumer credit transactions; providing for administrative regulation of certain consumer credit transactions; making uniform the law with respect thereto; and repealing inconsistent legislation, including the following laws and parts of law:

Code of Alabama 1940: Title 9, § § 61, 65, and 66; Title 28, § 296; and Title 51, § 495 as amended by Act No. 680, General Acts of Alabama,

Regular Session (1953); and Act No. 374 General Acts of Alabama, Regular Session 1959, known as the Alabama Small Loan Act; and to amend the following laws:

Code of Alabama 1940: Title 9, § 60; and Title 5, § 120.
as amended, was taken up.

Mr. Dominick offered the following amendment to the Bill, S. B. 82, as amended, to-wit:

AMENDMENT TO S. B. 82

In Section 1.301 (10) b strike the period after "payable" and add "and are paid in their entirety to an insurer other than the creditor."

In Section 2.110 after "license fees." strike the rest of the section.

In Section 2.302 (1) (c) insert after (c) "except where terminology is prescribed by this Act or by rule of the Administrator."

In Section 2.302 (3) strike the subsection and in lieu thereof insert "(3) Except as provided with respect to rescission by a buyer (Section 5.204) and civil liability for violation of disclosure provisions (subsection (4) of Section 5.203), written acknowledgment of receipt by a buyer or lessee to whom a statement is required to be given by this Part in an action or proceeding by or against an assignee without knowledge to the contrary when he acquired the obligation, creates a presumption that the statement was delivered and, unless the violation is apparent on the face of the statement, of compliance with this Part."

In Section 2.403 after the first "lease" delete the comma and strike "other than a sale or lease primarily for an agricultural purpose,".

In Section 2.404 after the first "lease" delete the comma and strike "other than a sale or lease primarily for an agricultural purpose,". Further in the Section 2.404 strike the last sentence.

In Section 2.405 strike "twice" and insert in lieu thereof "one and one-half times".

Following Section 2.416 add a new section "2.417. DISCLAIMER OF WARRANTIES IN CREDIT AGREEMENT. The credit agreement with respect to any consumer credit sale or consumer lease may not limit, exclude, modify or alter any express or implied warranties otherwise made by the seller in connection with the sale or lease."

Following Section 2.417 add a new section "2.418. EFFECT OF DELIVERY AND PERFORMANCE CERTIFICATE. Any writing signed by the buyer in connection with a consumer credit sale to the effect that goods have been delivered, services performed or both shall create no presumption that the delivery or performance occurred. Delivery or performance is a question of fact in each case."

In Section 2.501 following the first "goods" delete the comma and strike "other than farm equipment,". Further in Section 2.501 strike "residence of the buyer" and insert in lieu thereof "place other than a place of business of the seller".

In Section 2.503 strike "your residence" and insert in lieu thereof "a place other than a place of business of the seller".

In Section 2.504 strike subsection (3) in its entirety and change "(4)" to "(3)".

In Section 2.505 (3) after "compensation" add a period and strike the rest of the sentence.

In Section 3.206 (2) add at the end of the section, "In all other respects, the consumer credit sale is subject to the provisions dealing with credit sales. (Article 2)."

In Section 3.302 (1) (c) insert after (c) "except where terminology is prescribed by this Act or by rule of the Administrator,".

In Section 3.302 (3) strike the subsection and in lieu thereof insert "(3) Except as provided with respect to rescission by a buyer (Section 5.204) and civil liability for violation of disclosure provisions (subsection (4) of Section 5.203), written acknowledgment of receipt by a debtor to whom a statement is required to be given by this Part in an action or proceeding by or against an assignee without knowledge to the contrary when he acquires the obligation, creates a presumption that the statement was delivered and, unless the violation is apparent on the face of the statement, of compliance with this Part."

In Section 3.305 insert at the beginning of the section, "(1)".

Further in Section 3.305 strike everything after "by this Part" and insert in lieu thereof "including the notice prescribed in subsection (2)."

Add a new subsection, 3.305 (2), "(2) The notice shall be in writing and conspicuous and shall provide that if the debtor does not wish to have the loan, he, within 15 days after receiving the notice, may prepay the obligation for an amount stated in the notice and avoid the payment of any loan finance charge. A prepayment under this section is subject to the provisions of this Act on prepayment, except that no loan finance charge shall be made if prepayment in full is made within the period specified in the notice. Payment by mail is effective when posted."

In Section 3.310 after "may be made" change the period to a comma and add "and, to the extent applicable, the other information required to be disclosed by subsection (1) of Section 3.309."

Further in Section 3.310 at the end of the last sentence strike the period and add "to the extent such information was not previously given."

In Section 3.402 strike "twice" and insert in lieu thereof "one and one-half times."

In Section 3.502, as amended, strike all of subsection (2) and insert in lieu thereof "(2) taking assignments of and undertaking direct collection of payments from or enforcement of rights against debtors, buyers or lessees arising from regulated loans, consumer credit sales or consumer leases."

In Section 3.510 (1) change "$1,000." to "$1,500."

In Section 3.510 (2) change "$1,000." to "$1,500."

In Section 4.106 strike all of subsection (2).

In Section 4.202 (2) strike "may" in the first sentence and insert in lieu thereof "must".

In Section 4.301 strike all of subsection (2) and renumber remaining subsection accordingly.

In Section 5.103 (2) change "$1,000." to "$1,500.".

In Section 5.103 (3) change "$1,000." to "$1,500.".

In Section 5.103 (7) change "$1,000." to "$1,500.".

In Section 5.108 (1) after "finds" strike the rest of the subsection and insert in lieu thereof "the transaction or any aspect of the transaction or any conduct directed to the consumer by a party to the transaction to be unconscionable, the court may refuse to enforce the agreement against the consumer, or it may so limit the application of any terms or conduct to avoid any unconscionable result. If the court finds that the transaction or any part thereof is unconscionable, the court may assess costs and reasonable attorney fees of the consumer upon the party responsible."

In Section 5.202 after "2.403" add "3.410" within the parentheses.

Further in Section 5.202 (1) strike the period immediately prior to "No action" and insert "but the liability pursuant to this paragraph shall not be less than $100 or more than $1,000."

In Section 5.202 (4) after "either" insert "twice" and after "$100" insert "or more than $1,000."

Mr. Cooper moved that further consideration of the Bill, S. B. 82, as amended, and pending amendment, be postponed until the Seventeenth Legislative Day. On motion of Mr. Turner, the motion to postpone was laid on the table.

Yeas 20; Nays 10.

Yeas:

Messrs.:	Gilmore	McDermott	Radney	
Branyon	Givhan	Morrow	Stone	
Childs	Goodwyn	O'Bannon	Torbert	
Dominick	Harris	Oden	Turner	
Folsom	Jackson	Pierce	Vacca	
Giles				—20

Nays:

Messrs.:	Cooper	Lolley	Pelham	
Albea	Hawkins	McCarley	Skidmore	
Bailes	Lindsey	Nabors		—10

ADJOURNMENT

At 5:50 P.M., on motion of Mr. Cooper, pending further consideration of the Bill, S. B. 82, in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Wednesday, June 25, 1969, at 12 o'clock Noon.

FIFTEENTH LEGISLATIVE DAY

WEDNESDAY, JUNE 25, 1969

The Senate met pursuant to adjournment, President Pro Tempore Goodwyn presiding.

PRAYER

The Session was opened with prayer by the Reverend Willis C. Henderson, Rector, (Episcopal) Church of the Holy Comforter, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	Lolley	Radney	
Branyon	Gilmore	McCarley	Skidmore	
Carr	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jackson	Oden		—34

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fourteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Fourteenth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Hawkins, leave of absence was granted Mr. Adams for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs Giles, Folsom, Turner, Bailes, Radney, Torbert, McCarley, Nabors, Albea, Skidmore, Leonard, Carr, Lindsey, Engel, McDermott, Pelham and Branyon:

S. 575. To provide for uniformity in designating county governing bodies in the several counties of this state.

Committee on Judiciary.

By Mr. Giles:

S. 576. To levy an additional excise tax upon certain motor fuels of 1½ ¢ per gallon, for distribution to the several counties and cities therein, to replace revenue lost by such counties and cities as a result of the nullification of local excise taxes on motor fuel under the provisions of a constitutional amendment proposed at the current session of the Legislature.

Committee on Finance and Taxation.

By Mr. Giles:

S. 577. To amend Sections 3 and 4 of Act No. 743, H. 150, Regular Session 1957, as amended by Act No. 416, S. 284, Regular Session 1959, to provide for an increase in the amount of refund of state tax paid on gasoline which is used in propelling and operating tractors used exclusively for agricultural purposes.

Committee on Finance and Taxation.

By Mr. Giles:

S. 578. Proposing an amendment to the Constitution of Alabama relating to the distribution and use of gasoline and motor fuel excise taxes for county and municipal purposes.

Committee on Finance and Taxation.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Giles:

S. 579. To levy an additional excise tax upon gasoline of 1½ ¢ per gallon, for distribution to the several counties and cities therein, to replace revenue lost by such counties and cities as a result of the nullification of local excise taxes on gasoline under the provisions of a constitutional amendment proposed at the current session of the Legislature.

Committee on Finance and Taxation.

By Mr. Pierce:

S. 580. To regulate further the time within which actions against persons who performed or furnished the design, planning, supervision or construction of improvements on real property, whether based on contract or tort, for damages arising out of any act or omission of such persons in the design, planning, supervision, or construction of such improvements must be commenced.

Committee on Judiciary.

By Mr. Pelham:

S. 581. Authorizing governing bodies of any county of the State to levy, assess and collect one or more described taxes or privileges or receipts from privileges exercised in such county, limiting the amount of any such tax and setting forth conditions and limitations upon the levy of any such described taxes; defining county matching funds; providing that a county board of education may request in writing the governing body of a county to levy one or more described taxes for the purpose of providing county matching funds; authorizing the governing body of a county to call an election of qualified voters on the question of whether one or more of the described taxes could be levied; providing for the manner of holding such elections; providing the taxes which can be levied and method of collection; prescribing limitations on the length of time any such tax so levied may remain in effect; and repealing Act No. 34 of the first Extraordinary Session of 1969 of the Legislature of Alabama and all other laws or parts of law which conflict with this Act.

Committee on Finance and Taxation.

By Mr. Jackson:

S. 582. To propose a constitutional amendment relative to levying additional taxes in Baldwin County for public school purposes

Committee on Local Legislation No. 1.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Goodwyn:

S. 583. To provide for the participation of the State of Alabama in the Compact for Education; providing for a designation of its membership, purpose, powers and to make an appropriation therefor.

Committee on Judiciary.

By Messrs. Morrow, Hawkins, Bailes, Turner, Harris, Clark, Gilmore and Engel:

S. 584. To amend Act No. 224 adopted at the Special Session of 1967 of the Legislature of Alabama so as to appropriate, from the state's share of the net tax proceeds of the highway gasoline tax, moneys for payment at their respective maturities of the principal of and interest on bonds of Alabama Highway Authority issued under an act adopted at the 1969 Regular Session of the Legislature of Alabama, and to clarify the provisions of the said Act insofar as they relate to refunding bonds that may hereafter be issued.

Committee on Finance and Taxation.

By Messrs. Morrow, Bailes, Hawkins, Turner, Harris, Clark, Gilmore and Engel:

S. 585. To make further provision for the financing and construction of public bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding $25,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale

thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of fiduciary funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

Committee on Finance and Taxation.

By Messrs. Morrow, Bailes, Hawkins, Turner, Harris, Clark, Gilmore and Engel:

S. 586. To amend Sections 6 and 11 of Act No. 43 adopted at the First Special Session of 1955 of the Legislature of Alabama so as to change the duration for which the corporation organized thereunder (known as Alabama Highway Authority) shall continue to exist.

Committee on Finance and Taxation.

By Messrs. Morrow, Bailes, Hawkins, Turner, Harris, Clark, Gilmore and Engel:

S. 587. To amend Section 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to make further provisions for the distribution of the net proceeds from the license taxes and registration fees therein referred to.

Committee on Finance and Taxation.

By Messrs. Morrow, Bailes, Hawkins, Turner, Harris, Clark, Gilmore and Engel:

S. 588. To amend Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama (relating to the excise tax on motor fuel as defined in said act), as amended, so as to make further provision for the disposition of the proceeds of the tax levied thereby.

Committee on Finance and Taxation.

By Messrs. Gilmore, Clark, Morrow, Folsom, Hawkins, Childs, Bailes, Dominick, Vacca, Turner, Torbert, Radney, Oden, Nabors, Pierce, Harris, Pelham, Cooper, Skidmore, Leonard, Stone, Givhan and Engel:

S. 589. To authorize Alabama Public School and College Authority, a public corporation, to sell and issue additional bonds for the purpose of constructing and equipping capital improvements at state educational institutions where the board of directors of the Authority, with the approval of the Governor, shall determine that such capital improvements can be most advantageously located; to provide for the details of the said bonds and for the sale thereof; to make appropriation and pledge of funds for payment of the prin-

cipal of and interest on the said bonds and authorize the Authority to pledge for payment of the said principal and interest the funds so appropriated and pledged herein; to provide that the said bonds shall be limited obligations of the Authority payable solely from the funds so appropriated and pledged and shall not create an obligation or debt of the state; to provide that the said bonds and the income therefrom shall be exempt from taxation and the said bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the refunding of such bonds by the issuance of refunding bonds; to adopt with respect to the said bonds certain provisions of Act No. 243 adopted at the 1965 Special Session of the Legislature of Alabama; and to specify certain other provisions respecting the said bonds.

Committee on Finance and Taxation.

By Messrs. Gilmore, Clark, Morrow, Folsom, Hawkins, Childs, Bailes, Dominick, Vacca, Turner, Torbert, Radney, Oden, Nabors, Pierce, Harris, Pelham, Cooper, Skidmore, Leonard, Stone, Givhan and Engel:

S. 590. To make an annual appropriation, out of moneys derived from the excise tax known as the use tax and required to be paid into the Alabama Special Educational Trust Fund, for the education and training of exceptional children, including the administration, maintenance and operation of classrooms and classes and payment of teachers for such classes; and to repeal Section 3 of Act No. 105 adopted at the Second Special Session of 1963 of the Legislature and Section 3 of Act No. 67 adopted at the Regular Session of 1967 of the Legislature.

Committee on Finance and Taxation.

By Messrs. Gilmore, Clark, Morrow, Hawkins, Childs, Bailes, Dominick, Vacca, Turner, Torbert, Radney, Oden, Nabors, Pierce, Harris, Pelham, Cooper, Skidmore, Leonard, Folsom, Stone, Givhan and Engel:

S. 591. To amend Act No. 126 adopted at the Second Special Session of 1959 of the Legislature of Alabama so as to amend Section 9 thereof specifying certain changes in the details pertaining to the bonds issued under the provisions of the said act.

Committee on Finance and Taxation.

By Messrs. Gilmore, Clark, Morrow, Hawkins, Childs, Bailes, Dominick, Vacca, Turner, Torbert, Radney, Oden, Nabors, Pierce, Harris, Pelham, Cooper, Skidmore, Leonard, Folsom, Stone, Givhan and Engel:

S. 592. To amend Act No. 243 adopted at the Special Session of 1965 of the Legislature of Alabama so as to amend Section 9 thereof specifying certain changes in the details pertaining to the bonds issued by Alabama Public School and College Authority under the provisions of the said act.

Committee on Finance and Taxation.

By Mr. O'Bannon:

S. 593. To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Colbert County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collection of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties

of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel. To provide further for the distribution of fines and forfeitures in certain cases.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF COLBERT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Colbert County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collection of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel. To provide further for the distribution of fines and forfeitures in certain cases.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Colbert County, Alabama, by whatever name called, is hereby authorized to establish and maintain a Public Law Library in said County, and to accomplish said purpose, may from time to time, expend such public funds of said County, as are not required by law, to be expended for any other purpose or purposes, to provide suitable housing quarters, furniture, fixtures and equipment therefor, to keep the same in a good state of maintenance and repair, and, from time to time, to enlarge, expand and improve such Library, facilities and equipment and, from time to time, to provide such books, reports and periodicals for said Library as are not provided therefor out of the special fund created by this Act or otherwise, and to pay the salaries of an assistant librarian and such other personnel as may be necessary and proper to operate the same, to the extent that such salaries are not paid out of the proceeds of such special fund; which expenditures shall, from time to time, be made on warrants drawn in the usual manner, upon the County Depository payable out of appropriate fund or funds.

Section 2. In order to provide a special fund for the maintenance of said Library, there shall be taxed as costs the sum of Two and no/100 ($2.00) Dollars in each Civil or Quasi Civil Action at Law, Suit in Equity, Criminal Case, Quasi Criminal Case, proceeding on a Forfeited Bill Bond or proceeding on a Forfeited Bond given in connection with an appeal from a judgment of conviction in any inferior or municipal court to the Law and Equity Court or to the Circuit Court hereinafter filed in, arising in, or brought by appeal, certiorari or therewise to the Law and Equity Court or to the Circuit Court of Colbert County, Alabama which costs shall be collected as other costs in such cases are collected by the Clerk of said Courts or the Register thereof, as the case

may be, and shall be paid to the County Depository of Colbert County, Alabama.

Section 3. The management and control of said Public Law Library shall be vested in a Librarian, and an Advisory Committee. Such Librarian shall be the presiding Judge of the Thirty-first Judicial Circuit. Such Advisory Committee shall consist of two members of the Colbert County Bar. The members of such Advisory committee shall be elected by the county governing body of Colbert County, Alabama, for such term as may be fixed by such governing body. In all matters involving the expenditure of moneys the concurring consent of one member of such Advisory Committee shall be necessary.

Section 4. The sums herein provided to be paid into the County Depository of Colbert County, Alabama, shall be kept in a separate fund designated as "Colbert County Public Law Library Fund" and shall be expended by the Librarian, by and with the consent of the Advisory Committee, for maintaining said Law Library. Said Librarian shall draw warrants on the County Depository for expenditures, indicating on the warrants the fund against which the warrants are drawn. Every warrant drawn by such Librarian shall be countersigned by at least one member of said Advisory Committee. Said fund shall be used primarily to lease or purchase, from time to time, under conditional sales contracts in anticipation of future revenue under this Act or otherwise as the said Librarian may deem expedient, such books and periodicals, and to pay the salaries of such personnel, as may in the opinion of the Said Librarian be advisable, but to the extent not so used funds may otherwise be expended for the maintenance of said Library. All books or other property purchased with the funds produced by this Act shall be the property of Colbert County, Alabama, provided, however, that the said Librarian may from time to time, sell at public or private sale or exchange any such books, reports, periodicals, and personal property, and apply the proceeds from the sale thereof, or the value thereof, upon the purchase of other books, reports, periodicals and personal property for use in said Library, and said Librarian may accept any gift or loan of any books, reports, periodicals and property for public use in said Library upon such terms and conditions as may be stipulated by the donor or lender thereof and as may be agreeable to the said Librarian. Said Librarian may appoint such assistant Librarian and other personnel as may in his opinion be necessary or proper to operate said Library, and, to the extent that in the opinion of said Librarian the circumstances permit, may require the Clerks of said Court, and/or the Register of said Courts, and/or the official Reporters of said Circuit Court and Law and Equity Court to operate the same or to assist therein, either with or without additional compersation therefor from said fund as the said Librarian shall direct.

Section 5. The said items of cost above referred to shall be designated in said respective Courts as "Public Law Library Fee" and shall be taxed as other costs are taxed in said Courts. On or before the 10th day of each month, the Clerk or other collecting officer of the respective Courts shall pay to the said County Depository the amounts collected for said Public Law Library fees previous to the first day of the month.

Section 6. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction within Colbert County of violations of the rules of the road, or the laws of this state relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid into the "Colbert County Public Law Library Fund" of Colbert County, and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

Section 7. At the conclusion of 3 years from the date that this act shall become effective, the funds herein above provided to be paid to the "Colbert County Public Library Fund", shall be paid into the fine and forfeiture fund of Colbert County.

Section 8. If any sentence, clause, provision or section of this Act be declared to be invalid, the invalidity thereof shall not effect the validity of any other portion or provision of this Act. It being the intention to enact into law so much hereof as may validly become law, irrespective of the invalidity of any portion hereof.

Section 9. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COLBERT

Before me, the undersigned authority in and for said County in said State, this day personally appeared George Morris, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of the Standard & Times, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 30, June 6, June 13, and June 20, all in the year 1969.

GEORGE MORRIS.

Sworn to and subscribed before me June 23, 1969.

MARTHA ANN NESBITT,
Notary Public.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 307. Relating to state employment; providing for payment of certain expenses of job transference.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pierce, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 307, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 307

Amend S. B. 307 as follows:

In Section 1, line 3, delete the word "may" and insert in lieu thereof the word "shall".

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Radney	
Albea	Goodwyn	McDermott	Skidmore	
Bailes	Harris	Morrow	Stone	
Branyon	Hawkins	Nabors	Torbert	
Childs	Jackson	Pelham	Turner	
Dominick	Leonard	Pierce	Vacca	
Giles	Lolley			—25

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Springer:

H. 311. Relating to the destruction of public records; authorizing the state treasurer to destroy certain cancelled state warrants and the journals pertaining to such warrants; and repealing Act No. 589, H. 141, of the Regular Session of 1957 (Acts of 1957, p. 826) and all other conflicting laws.

Also:

By Mr. Springer:

H. 315. To provide for the voiding of state warrants outstanding at the close of the fiscal year next following the fiscal year in which they were issued, and for the barring of the claims based thereon.

Also:

By Mr. Springer:

H. 316. To amend Code of Alabama 1940, Title 55, Section 223, which relates to the records of the state treasurer relative to cancelled coupons on coupon bonds issued by the State so as to require and regulate the making and auditing of certain records relative to coupon bonds and the destruction of certain cancelled bonds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 311, 315, and 316. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Pearson:

H. 769. To fix expense allowances of Courts of County Commissioners, Boards of Revenue or like governing bodies of all counties having a population of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census by providing for expenses for travel out of the county. This Act is in addition to all existing allowances.

Also:

By Messrs. Merrill and Lybrand:

H. 773. Relating to judicial procedure in all counties having populations of not less than 76,000 nor more than 96,000: To authorize and provide for the judge, in his discretion, to excuse veniremen summoned for the week in which a person or persons indicted for a capital felony is to be tried, prior to the call of the case and without the defendant or his attorney being present.

Also:

By Mr. Snell:

H. 774. To provide, in any county of the State of Alabama having a population of not less than 37,000 or more than 41,000, according to the last or any subsequent decennial census for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within such county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; and to accord the authority exemption from state, county and city taxation.

Also:

By Messrs. Agee and McCorquodale:

H. 763. Relating to counties having populations of not less than 15,300 nor more than 15,400, according to the most recent federal decennial census; to provide for the disposition of guns, nets, and other equipment taken or found by police officers in game and fish cases in such counties.

Also:

By Messrs. Malone, Wright and Owens (W. E.):

H. 786. To repeal Act No. 157, S. 276 of the Regular Session of 1965 (Acts, 1965, Regular Session, p. 227), entitled "An Act further regulating commercial fishing in public waters in all counties having populations of not less than 96,000 nor more than 106,000, so as to prohibit the use of gill or trammel nets or hoop or fyke nets in commercial fishing operations in such counties."

Also:

By Messrs. Malone, Wright and Owens (W. E.):

H. 787. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the territory of Etowah County exclusive of Gadsden and Attalla.

Also:

By Messrs. Shumate, Fite, Dobbs, Fine and Drake:

H. 809. Regulating further nighttime hunting in certain counties of the state classified on a population basis; providing for the taking, catching or killing of raccoons and o'possums during nighttime hours, but only under certain conditions and with a certain kind of gun and ammunition in such counties, when authorized by a rule of the director of conservation; and providing penalties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 769, 773, 774, 763, 786, and 787. To the Committee on Local Legislation No. 1.

H. B. 809. To the Committee on Local Legislation No. 1.

(The above numbered Bill, H. B. 787, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Grainger, Cook (Jefferson), Ellis, Cook (Coffee), Jones, McLain, Dill, Manley, Williams, Lybrand, Tuck, Malone, Money, Smith, Beck, Lemley, Lyons, Turnham, Collins (C), Headley, Owens (W), Hain, Jackson (F), Mays, Berryman (R), Burgreen, Edington, Bank, McElhaney, Weeks, Watkins, Adwell, Sessions, Cherner, Slate, Doss, Graham, Meade, Crane, Drake, Hill and Haygood:

H. 279. To promote safe transportation of pupils to and from schools and in school related activities; to direct the state board of education to prescribe certain rules and regulations designed to promote this purpose; to provide for school transportation managers or supervisors; to prescribe certain equipment for school buses; to provide for safety inspection of school buses; to provide for special training and licensing of school bus drivers; and to prescribe penalties.

Also:

By Messrs. Merrill and Fite:

H. 629. To make an appropriation to the University of Alabama for the purchase of law library books in support of the Alabama Law Institute.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 279. To the Committee on Education.

H. B. 629. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Owens (W. E.) and Malone:

H. 69. To authorize and provide that Clerks of Circuit Courts in all Counties having a population of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census, may select, designate and appoint one of his present assistants to be and serve as Assistant Chief Clerk of the Criminal Division of Circuit Court, and one of his present assistants to be and serve as Assistant Chief Clerk of the Civil Division of Circuit Court.

Also:

By Messrs. Wood, Marr, Grayson, Downing, Collins (W) and Perloff:

H. 695. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Mobile County and making a change in the purposes for which may be levied and distributed the special tax authorized by the amendment to the Constitution of Alabama known as Amendment XVIII as heretofore amended.

Also:

By Messrs. Wood, Marr, Grayson, Downing, Collins (W) and Perloff:

H. 697. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Mobile County under certain conditions to issue its general obligation bonds not exceeding $3,000,000 in principal amount for certain public buildings in the said county, to be additionally secured by a pledge of the special ad valorem tax provided for in Amendment XVIII to the said constitution, as amended, providing that none of the said bonds shall be chargeable against the limitation on the indebtedness of the said county contained in Section 224 of the said constitution, and specifying certain details pertaining to the said bonds and the sale thereof.

Also:

By Messrs. Bank, Culver and Brown:

H. 199. To amend Act No. 606, H. 737, Regular Session 1967, an act regulating the practice of barbering and the operation of barber shops and barber schools in counties having populations of not less than 100,000 nor more than 115,000 (Acts 1967, v. 2, p. 1395 et seq.).

Also:

By Messrs. Stembridge and Crawford:

H. 698. To amend Section 6 of Act No. 217, H. 275, approved August 1, 1961, (Acts of Legislature, Regular Session of 1961, Volume 1, pp. 244, et seq.), An Act "To provide for and prescribe the form of government of all cities having populations of not less than 30,000 nor more than 31,500."

JOHN W. PEMBERTON,
Clerk.

By Messrs. Stembridge and Crawford:

H. 699. To create and establish a Court of record with county wide limited jurisdiction of criminal cases and civil actions at law and in equity, to be called the Houston County Court; in lieu of, and to replace the Law and Equity Court of Houston County; to abolish the Law and Equity Court of Houston County; to provide for the jurisdiction of said Houston County Court and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished Court to the newly established Court, and to repeal Act No. 210, H. 479, Regular Session of the Legislature of Alabama of 1965 at Page 269, as amended, and all conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
HOUSTON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the 1969 Regular Session of the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To create and establish an inferior court of record of law and equity in Houston County, Alabama; to define its jurisdiction; to provide for its officers, their appointment, election, terms of office, powers, duties, authority and compensation; to provide the rules and procedures of said Court; to provide for the distribution of fines and forfeitures in certain cases; to provide for the transfer of certain causes now or hereafter pending in the Law and Equity Court of Houston County, Alabama, and to abolish the Law and Equity Court of Houston County, Alabama, repealing Act. No. 210, H. 479, Regular Session 1965, as amended, and all conflicting laws.

Be it enacted by the Legislature of Alabama:

Section 1. There is hereby created and established in Houston County a court with limited jurisdiction of criminal cases and civil

action at law and in equity which court shall make final records in all cases except cases cognizable before justices of the peace. The Court shall be known as the Houston County Court and it shall replace the Law and Equity Court of Houston County established by Act No. 210, H. 479, Regular Session 1965, which court is hereby abolished.

Section 2. All cases and actions pending in the Law and Equity Court of Houston County on the effective date of this Act shall be transferred in the Court hereby created and shall proceed as though begun therein. As to judgments rendered by the abolished court (and judgments it had the power to control), the Houston County Court shall have the same power to control, and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

Section 3. (a) Except as provided in subsection (b), of this subsection, the Houston County Court shall have and exercise jurisdiction in all actions, causes, matters, proceedings, and cases, including actions of unlawful detainer, actions for the recovery of possession of land, cases of desertion, and non-support instituted by vitue of Article 3, Chapter 4, Title 34, Code of Alabama (1940), and cases involving juveniles arising under the provisions of Chapter 7, Title 13, Code of Alabama (1940), which are cognizable before the circuit court, or a county court, or the juvenile court, or justices of the peace, or courts created in lieu thereof, and all courts of like jurisdictions. It shall have authority to exercise general superintendence of justice courts, and to punish contempts by fine not exceeding fifty dollars ($50) and imprisonment not exceeding five days. It may adopt and enforce rules and regulations relative to pleadings, procedure and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and law-made rules governing the practice and procedure of courts of record.

(b) The Court shall not have power to try persons charged with felonies. ($2000.00), nor take cognizance of any civil action when the matter or sum in controversy exceeds two thousand dollars ($2000.00), not take cognizance of any matter or proceeding in equity, except suits for divorce or separate maintenance and cases involving domestic relations or the custody of children.

Section 4. The court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury.

Section 5. (a) The Houston County Court shall have four divisions, namely, law, equity, criminal and juvenile. Except as otherwise provided in this Act, the practice and procedure of the court as to parties, trial, competence of witnesses, admissibility of evidence, regulation of suits and the time within which suits may be brought shall be governed by the statutes and rules of practice and procedure governing the circuit courts Interrogatories to adverse parties, as provided for by Article 8, Chapter 10, Title 7, Code of Alabama (1940), may be used, except that answers must be filed to such interrogatories within thirty (30) days after service of the interrogatories. If answers to the interrogatories are not filed the answers are not full, or are evasive, the court may either attach the party and cause him to answer fully in open court, or tax him with so much costs as may be just, and continue the cause until full answers are made, or direct a non-suit or judgment by default, to be entered, or render such judgment or decree as would be appropriate if such defaulting party offered no evidence.

(b) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process has been executed on the defendant, or service perfected on him as required by law, defendant shall appear and plead, answer or demur thereto within

twenty days. In suits in equity the defendant shall have thirty days after the perfection of service on him in which to plead, answer or demur. If a defendant fails to plead, answer or demur within the prescribed time after service has been perfected on him, he shall be in default and on motion of the plaintiff judgment by default may be rendered against such defendant.

Section 6. (a) No prosecution shall be commenced in such court except upon sworn complaint made to either the judge or the Clerk of the court, or the deputy clerks of the court, or the assistant District Attorneys for Houston County), who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty. When the accused is arrested, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

(b) A county or assistant District Attorney (for Houston County) shall prosecute for the State all criminal cases commenced in such court. The assistant District Attorneys shall be paid a salary, the amount to be determined by the District Attorney, which salary shall not exceed $200.00 for each month for the aggregate of all assistant District Attorneys. This sum shall be in addition to all sums now being paid assistant District Attorneys.

Section 7. (a) The Houston County Court shall be open at all times for the transaction of business, Sessions of the Court shall be held at the county courthouse at such times as the judge shall designate by orders spread upon the minutes of the court. At least one civil session and one criminal session shall be held each month. Sessions may be continued so long as may be necessary for the court to complete its business.

(b) The Sheriff shall, without additional compensation, attend the sessions of the court in person or by deputy. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the circuit court.

(c) The judge shall appoint a bailiff when he deems one necessary and the bailiff shall be compensated at the same rate as a Circuit Court bailiff.

(d) The judge shall have the same power and right to appoint an attorney to represent indigent defendants as judges of circuit courts.

Section 8. (a) For their attendance upon the sessions of the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the circuit courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulations as apply in the circuit courts.

(b) In addition to the fees for witnesses, the court shall have authority to tax costs for the use of the county as follows: (1) in each civil action at law, if the sum in controversy does not exceed one hundred dollars ($100), the same as in justice courts; (2) in every other civil action law, the same as in the circuit court; (3) in each equity case, the same as in the circuit court; (4) in each criminal case involving an offense of which justices of the peace have final jurisdiction, the same as in the justice courts; (5) in every other criminal case, the same as in county courts. The court shall tax other costs as prescribed by law (both general and local acts).

(c) A trial tax of one dollar ($1.00) shall be collected for the use of the county in each civil action at law, if the sum in controversy does not exceed one hundred ($100). In every other civil action at law, in every suit in equity, and in every criminal case except criminal cases involving offenses of which justices of the peace have final jurisdiction, a trial tax of three dollars ($3.00) shall be collected for the use of the county.

(d) No costs shall be taxed in juvenile cases.

(e) In addition to the fines and forfeitures now provided by law to be paid into the general fund of Houston County, Alabama, one-half (50%) of all other fines and forfeitures collected in this court are to be paid into the general fund of Houston County, Alabama.

Section 9. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11, Title 7, Code of Alabama (1940), except that if the judgment of the court is for fifty dollars ($50) or less the party in whose favor the judgement is rendered shall have a period of only three years in which to have a writ of fieri facias or execution levied against the property of the defendant, and the lien of such judgment registered under the provisions hereof shall continue for a period of three years from the date of such judgment in the manner set out in Section 588 of said Title 7; and if judgment is for more than fifty dollars ($50), the lien of such judgment when registered under the provisions hereof shall continue for a period of ten years from the date of such judgment in the manner set out in Section 585 of said Title 7.

The discovery of assets of judgment debtors as provided by Article 2, Chapter 21, Title 7, Code of Alabama (1940) may be had in this court as in circuit courts.

Section 10. Any party aggrieved by a judgment, order, or ruling of the court may appeal the decision as herein provided.

(1) If the case is a civil case in the law division of the court, the appeal lies to the circuit court and shall be governed by Article 6 of Chapter 8, Title 13 of the 1940 Code, or to the Court of Appeals and shall be governed by Article 1 of Chapter 3, Title 13 of the 1940 Code.

(2) If the case is in equity, the appeal lies directly to the Supreme Court of Alabama and shall be governed by the provisions of Chapter 16, Title 7 of the 1940 Code.

(3) If the case arises under the court's jurisdiction with respect to juveniles, the appeal lies to the circuit court and shall be governed by Sections 371 and 372 of Title 13 of the 1940 Code.

(4) In every criminal case, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the 1940 Code, or to the Court of Appeals and shall be governed by Section 90 of Title 13 of the 1940 Code.

Section 11. (a) A Judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1970, and every six years thereafter. His term shall be for six years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

(b) Immediately after the effective date of this Act, the Governor shall commission Hon. Don P. Bennett as Judge of the Houston County Court and the said Don P. Bennett shall hold office until his successor is elected or appointed as provided herein.

(c) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner provided by law. No person shall be eligible for the office of Judge unless he is, at the time of his appointment or election, a qualified elector of Houston County, learned in the law, and has been licensed to practice law in this State for five years. The judge shall not practice law in any of the courts of this State or of the United States, and he shall be subject to the same penalties and obligations as circuit judges. Any vacancy occurring in the office of judge shall be filled by appointment as provided in Section 158 of the Constitution.

(d) The judge shall receive an annual salary equal to an amount of $500.00 less than the base annual salary of circuit judges (as set by statute) payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid.

(e) The judge shall have authority to: (1) grant writs of certiorari, supersedeas, quo warranto, mandamus, and all other remedial and original writs which are granted by the circuit judges; (2) grant writs of injunction and ne exeat; (3) administer oaths and take acknowledgments; (4) issue search warrants; (5) excerise such other powers, jurisdiction, or authority as may now or hereafter be conferred by law upon circuit judges, judges of juvenile and county courts, and justices of the peace. Provided, however, the judge shall not have or exercise the powers, jurisdiction, or authority of equity courts except in suits for divorce or separate maintenance and cases involving domestic relations or the custody of children.

(f) The judge shall keep an office in the county courthouse, or such other place as may be provided by the governing body of the county. His office shall be suitable equipped, furnished and provided at the expense of the county with such office supplies and stationery, stamps, furniture, fixtures and other materials as may be necessary for the transaction of the business of the court.

(g) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code. Such special judge shall be paid out of the general funds of the county the sum of fifty dollars ($50.00) for each day he is called upon to serve during a regular session held pursuant to orders of the court duly spread upon the minutes of the court.

Section 12. (a) The circuit clerk of Houston County and the register of the circuit court shall be the clerk and register, respectively, of the court herein established; and the clerk may appoint a chief deputy clerk which shall be in addition to the chief deputy clerk of the circuit (and not the same person) who shall have all the power and authority that is herein given to the clerk. The judge shall appoint a clerk of the juvenile division who shall also act as a secretary to the judge. In addition to all bonds required of them, the clerk shall make bond in the sum of $10,000; the register $2,000.00, and the clerk of the juvenile division $2,000.00. The clerk of the juvenile division shall be paid a monthly salary of not less than $300.00 per month nor more than $500.00 and shall start at $300.00 per month and may be raised by the judge of the court as he deems it expedient. In addition to their regular compensation, the clerk and register each shall receive for such services the sum of $2,400.00 annually, which sum shall be payable in equal monthly installments. All salaries referred to in this Section 12 (a) shall be paid from the general fund of the county. Each shall have authority to purchase at county expense such records, stationery, office supplies, and equipment as may be necessary to conduct the court's business. Each shall keep a seal, which shall be the official seal adopted by the court.

(b) It shall be the duty of the clerk, register and clerk of the juvenile division, respectively, to keep all the records, files, and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk, register, and clerk of the juvenile division, respectively, shall have power and authority: (1) to administer oaths and take acknowledgments and affidavits: (2) to sign and issue all processes issuing out of the court, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments, and releases; (3) to approve bands in civil and criminal cases; (4) to enter all judgments, orders, and decrees of the court; (5) to certify all appeals and transcripts; (6) to excerise all powers and authority which are now or may hereafter conferred on clerks and registers of the circuit courts.

(d) The judge shall secure the services of a competent reporter to attend the sessions of the court and report all cases tried when request therefor is made by any party to a suit. He shall serve at the will and pleasure of the judge. The reporter shall receive an amount equal to the amount paid reporters in Circuit Courts for each day that he is called upon to serve, to be paid out of the general fund of the county, and in addition, he shall receive for his own use from the parties to suits, when they request such, for making a transcript of evidence taken by such reporter the same amount that he would be entitled to as a reporter in circuit court. He shall be required to keep his notes and records for public use and inspection. In all cases reported by the reporter there shall be taxed as part of the costs of the case a fee equal to a circuit court reporter's fee for each day or fraction thereof that such reporter shall be engaged in reporting the case, to be collected as costs as in other cases, and when collected paid into the county treasury of Houston County, Alabama.

Section 13. Act No. 210, H. 479, Regular Session of 1965 (Acts of Alabama 1965, Vol. 1 p. 289) and all acts amendatory thereof, and all other laws or parts of laws in conflict with this Act are hereby repealed.

Section 14. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 15. This Act shall take effect on the first of the month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Director of the The Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16, and May 23, all in the year 1969.

WALLACE MILLER.

Sworn to and subscribed before me May 23, 1969.

EUGENE S. McCLINTIC,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 69, 695, 697, 199, 698 and 699. To the Committee on Local Legislation No. 1.

(The above numbered Bills, H. B.'s 695 and 697, were read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cameron, Springer, Harris and Hobbie:

H. 138. Relating to cities having a population of not less than 100,000 nor more than 150,000 according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

Also:

By Mr. House:

H. 459. Relating to public contracts; providing that a public officer shall not designate the insurance company, agent or broker for insurance in public building or construction contracts.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 138. To the Committee on Local Legislation No. 1.

H. B. 459. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 182. To provide for and regulate the payment of expenses of state officers and employees and persons traveling on official business for the State or any of its departments, institutions, boards, bureaus, commissions, councils, committees, and other like agencies.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Giles, the Senate non-concurred in the following House amendment to the Bill, S. B. 182, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 182

Amend S. B. 182 by adding the following at the end of Section 1 of Bill:

"Provided, however, that the provisions of this section shall not apply to officers and employees of the State of Alabama when they incur expenses representing the State of Alabama in the encouragement and promotion of trade or industrial development and on such occasions, when such representation is properly approved, such persons shall be reimbursed for the actual expenses incurred and paid by them; provided further that such representation must be approved in advance in writing by the Governor or by the Director of Finance when so designated by the Governor."

Yeas 27; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham
Albea	Giles	Lindsey	Pierce
Bailes	Gilmore	Lolley	Radney
Carr	Givhan	McDermott	Skidmore
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Dominick	Hawkins	O'Bannon	Vacca

—27

Nays: —0

and requested a Committee on Conference.

And the President and Presiding Officer of the Senate appointed as members on part of the Senate Messrs. Pierce, Giles and Turner.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Brown:

H. J. R. 57. WHEREAS William P. Bloom, internationally known Tuscaloosa businessman and civic leader, passed away on June 15, 1969 in Caracas, Venezuela; and

WHEREAS Mr. Bloom's activities have transcended local and state affairs and have affected international relations, in that he has influenced legislation and policy relative to Israel, and has been cited by the Israel government for his activities on behalf of that country; and

WHEREAS Mr. Bloom was, for many years, active in the Red Cross, Rotary, Zamora Temple, Federated Jewish Charities, and B'nai Brith and has served ably as a Council Commissioner of the Boy Scouts, President of the Tuscaloosa Merchants Bureau, a director of the Chamber of Commerce, President of Temple Emanuel, and has held many other

important posts in civic, business, religious, and charitable organizations; now therefor

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of William P. Bloom, to whom his city, his state, and his nation are deeply indebted, and express our sympathy to his family and friends.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the family of William P. Bloom.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, H. J. R. 57, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 241. To authorize the state comptroller to close out certain inactive funds in the state treasury and transfer the balance in such funds to the state general fund.

Also

S. 301. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding $3,000,000.00 in aggregate principal amount.

Also:

S. 302. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding $3,000,000.00 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of

the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the Special Tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of the interest on bonds of the Authority, to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

Also:

S. 185. To provide for and authorize the organization of a public corporation in the state to be named Coosa Valley Development Authority, for the purpose of furthering the development of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary; to designate the officers and members of the board of directors of the Authority; to define and describe the duties and obligations which the Authority is authorized to undertake and discharge in connection with the proposed waterway project; to prescribe the powers of the Authority; to limit and regulate the Authority's power to enter into contracts; to authorize the Authority to delegate its duties and obligations to other public corporations, agencies and departments of the state and to prescribe the conditions upon which such a delegation shall be effective; to authorize the State Docks Department to provide and maintain suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army and the Chief of Engineers; to authorize the sale and issuance of general obligation bonds of the state in aggregate principal amount not exceeding $10,000,000, the proceeds of which are to be expended by the Authority in discharging its duties and obligations in connection with the proposed waterway project; to make provisions for the sale, execution and issuance of the said bonds; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the said bonds; to provide that the said bonds and the income therefrom shall be exempt from taxation; to authorize and direct the State Treasurer to pay the principal of and interest on the bonds from any available funds of the state; and to provide for the dissolution of the Authority.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 186. To propose an amendment to the Constitution of Alabama to authorize the state to engage in works of internal improvement in connection with (1) the construction and maintenance of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary and (2) to authorize the state to issue in connection therewith interest-bearing general obligation bonds of the state in principal amount not exceeding $10,000,000; and (3) to authorize the state to establish a public corporation with the powers and resources necessary to undertake obligations authorized by this amendment to be undertaken by the state.

Also:

S. 230. To make an additional appropriation to the Division of Forestry of the Department of Conservation for the fiscal year ending September 30, 1969.

Also:

S. 372. To appropriate the sum of Five Thousand Dollars ($5,000.00) to cover costs incurred by the Game and Fish Division of the Department of Conservation of the State of Alabama in hosting the annual meeting of the Southeastern Association of Game and Fish Commissioners.

Also:

S. 387. To provide for abatement of ad valorem taxes on property acquired by condemnation or otherwise by the State of Alabama or any agency or instrumentality thereof.

Also:

S. 289. Relating to displacement of individuals, families, farm operations, businesses and non-profit organizations; providing that payments may be made to them as a result of moving from their home, farm, or business due to acquisition of their property for highway construction purposes; providing that relocation moving payments be considered a part of highway construction; providing that the Highway Department may provide a relocation advisory assistance program in keeping with this Act; providing optional modes of payment to those displaced and covered under this Act; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this Act; authorizing the Highway Director to adopt applicable federal rules and regulations to implement this Act and to comply with the relocation assistance provisions of the Federal-Aid Highway Act of 1968 and subsequent Federal Acts related thereto; repealing Section 39 (2), Title 23, Code of Alabama, 1940, recompiled 1958; to provide how this Act may be cited; and to provide a severability clause.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 184. To amend Act 833, S. 128 Regular Session 1965 (Acts of Alabama 1965, p. 1564), an act creating the State Employees' Insurance Board so as to increase the employers maximum contribution.

Also:

S. 276. To provide for the payment of compensation of officers, agents and employees of the Department of Public Safety, and to provide for the payment of expenses for subsistence and necessary equipment of the department when such officers, agents or employees shall be called upon by the Governor, or the appointing authority of the department, to perform duties relating to the control of civil disturbances, the restoration or preservation of the public order, or to perform rescue or protective duties at a natural or man-made disaster extending beyond twenty-four hours.

Also:

S. 364. To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

Also:

S. 365. To provide a cost of living increase to certain retired members of the Employees' Retirement System of Alabama.

Also:

S. 366. To amend Sections 3, 5, 7 and 8 of Act No. 515, HB 93, approved July 9, 1945, (General Acts 1945, Page 734) as amended, which relates to the Employees' Retirement System of Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 250. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding $4,000,000 for the purpose of financing the work required of the Alabama State Docks as the local sponsoring agency for the improvement in Mobile Harbor, Alabama, known as the Theodore Ship Channel project or for the purpose of financing the construction, dredging of approaches thereto and equipment of works of internal improvement for use and operation as a part of additional State Docks facilities.

Also:

S. 231. To amend Act 22, First Special Session 1969, approved May 14, 1969 so as to change the effective date thereof.

Also:

S. 183. To make an appropriation for the use of the board of adjustment for making awards to widows and dependents of certain peace or law enforcement officers and firemen killed in line of duty.

JOHN W. PEMBERTON,
Clerk.

REPORTS OF COMMITTEES

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Bailes, Hawkins and Childs:

S. 34. To amend Section 666 of Title 7 of the Code of Alabama, 1940, as amended, relating to wages and salary of deceased employees.

By Mr. Givhan:

S. 213. To amend and re-enact Section 619(10) of Title 51 of the Code of Alabama dealing with recordation and taxation of deeds, mortgages, and instruments of like character.

By Mr. Torbert:

S. 398. To further regulate domestic stock insurance companies in respect to merger, consolidation and certain exchanges of stock and, in furtherance thereof, to provide for approval by the Superintendent of Insurance after public hearing, and to provide rights for dissenting shareholders in connection therewith.

By Messrs. Goodwyn, Childs, McDermott, Cooper, Nabors, Pelham, Albea, Radney, Oden, Skidmore, Branyon, McCarley, Harris, Jackson, Carr, Bailes, Hawkins, Vacca, Lolley, Morrow and Clark:

S. 403. To further amend Section 3 of Act No. 724, approved September 17, 1953, entitled "An act to provide law clerks to be appointed by the presiding judge and associate judges of the Court of Appeals, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 979), as amended by Act No. 595, General Acts of Alabama 1959, p. 1484, and by Act No. 43, General Acts of Alabama 1965, Special Sess., p. 63, and to provide the time when the amendment shall become effective.

By Messrs. Goodwyn, Childs, McDermott, Cooper, Nabors, Pelham, Albea, Radney, Oden, Skidmore, Branyon, McCarley, Harris, Jackson, Carr, Bailes, Hawkins, Vacca, Lolley, Morrow and Clark:

S. 404. To further amend Section 3 of Act No. 443, approved August 28, 1953, entitled "An act to provide law clerks to be appointed by the chief justice and the associate justices of the supreme court, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 549), as amended by Act No. 594, General Acts of Alabama 1959, p. 1483, and by Act No. 44, General Acts of Alabama 1965, Special Sess., p. 64, and to provide the time when the amendment shall become effective.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. McDermott (with substitute):

S. 419. To amend Sections 71, 75, 76 and 82 of Title 10, Code of Alabama 1940, which provide for the exercise of the power of eminent domain by certain corporations and certain rights and limitations relating to such exercise of the power of eminent domain.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. McDermott:

S. 420. To amend Section 88 of Act No. 414, S. 261, approved November 13, 1959 (General Acts of Alabama 1959, Vol. 2, Page 1055) entitled "An Act to provide further for the organization, admission, consolidation, merger, and dissolution of certain corporations, and to prescribe the powers, authority, and duties of such corporations, and of the officers, directors, and stockholders thereof; subject to the provisions of Section 100 of this Act, to repeal Sections 1 through Section 15, Sections 17 and 18, Sections 22 through 47, Section 70, Sections 91 through 101, Sections 103 through 110, Sections 189 through 197, all as contained in Title 10 of the Code of Alabama of 1940 as amended; and Section 198 of Title 10 of the Code of Alabama of 1940." by adding pipeline companies to the corporations included in said Section 88.

By Messrs. Skidmore, Leonard, McCarley, Goodwyn, O'Bannon, Folsom, Harris, Givhan, Lindsey, Giles, Torbert and Clark:

S. 515. To amend Code of Alabama 1940, Title 15, Section 277, so as to eliminate the necessity of impaneling a jury in certain criminal cases when the defendant, upon arraignment or prior to trial, pleads guilty.

By Messrs. Morrow, Turner, Goodwyn, Skidmore and Torbert:

S. 536. To further amend Section 1 of Act No. 936, H. 652, Regular Session of 1951 Acts of the Legislature of Alabama, Page 1605, an Act relating to Supernumerary Circuit Judges, so as to regulate further their compensation while actively performing the duties of a Circuit Judge.

By Messrs. Goodwyn, Vacca, Lindsey, Leonard, Branyon and Folsom:

S. 540. To amend Sections 15, 16 and 19 of Act No. 351, General Acts of Alabama 1947, page 234; to provide for the Legislative Committee on Public Accounts as a supervisory agency of the department; to provide for special meetings of the Legislative Committee on Public Accounts and regular meetings and compensation and expenses for attendance at meetings, and to provide for settlement of charges made by the department and certification of reports of such charges to the Attorney General or Governor of the State of Alabama.

By Messrs. Goodwyn, Vacca, Lindsey, Leonard, Branyon and Folsom:

S. 541. To fix the salary of the Chief Examiner and the Assistant Chief Examiner.

By Messrs. Goodwyn, Vacca, Lindsey, Leonard, Branyon and Folsom:

S. 542. To provide for assistant legal counsels for the Chief Examiner and Department of Examiners of Public Accounts and to make an appropriation to carry out the provisions of this act.

By Messrs. Goodwyn, Vacca, Lindsey, Leonard, Branyon and Folsom:

S. 543. To amend Title 61, Section 211, Code of Alabama 1940, to allow the Chief Examiner of Public Accounts of the State of Alabama to file notice with the Judge of Probate of an impending examination affecting the estate of a decedent and hold the estate open for an additional period of six months.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. McDermott (with amendment):

S. 553. To regulate further judgments in actions and proceedings to enforce payment of alimony awarded pursuant to duly rendered decrees providing for continuous maintenance through payment of alimony in periodic installments, limiting the period of arrearage for which judgments may be rendered.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Engel and Cooper:

S. 566. To authorize and direct the director of conservation to execute on behalf of the State of Alabama a proper conveyance of certain real property to the Board of Trustees of the University of South Alabama.

By Messrs. Morrow and Bailes:

S. 574. To authorize every public corporation heretofore or hereafter organized or created in this state pursuant to authorization or determination by a municipality or by its governing body, which public corporation now or hereafter owns a water system or systems, and any municipality in this state in which any part of such water system or systems is situated, without an election, and with or without consideration, to transfer and convey such system or systems and all right, title and interest therein, including without limitation all reversionary, residuary or remainer rights provided by law, to any other public corporation whose certificate of incorporation was filed in the office of the Probate Judge of the same county in which was filed the certificate of incorporation of the public corporation proposing to make the transfer and conveyance or in the office of the Probate Judge of an adjacent county; to require the public corporation proposing to make such transfer and conveyance to make provision for the payment and retirement of any bonds, mortgages, indentures, resolutions or other obligations including revenue bonds or other securities payable from or secured by a pledge of the revenues or earnings of or constituting a lien upon the water system or systems proposed to be transferred and conveyed or to require the assumption thereof by the transferee public corporation; to authorize each public corporation and municipality to enter into any agreements and to execute any instruments which their respective governing bodies may deem necessary or appropriate in order to carry out the provisions of the Act; to provide for the publication and posting of a notice of the proceedings taken or to be taken under the Act; to limit the time within which any proceedings may be commenced in any Court with respect to the matters referred to in said notice; to provide that the provisions of this Act shall be cumulative; to provide that all matters authorized in the Act shall be exempt from all jurisdiction of and regulation by the Alabama Public Service Commission and by any other regulatory body; to provide for the severability of the provisions of this Act; and to provide the effective date of this Act.

By Mr. Pennington et al:

H. 514. To provide for organizing industrial development corporations; provide for definitions; provide the purpose of such corporations; provide that such corporations may be organized under the general laws of Alabama, subject to certain limitations; provide that such corporations may borrow money from members and issue securities and evidences of indebtedness and secure same; provide said corporations may make loans, may acquire the good will, business and assets of persons, firms, and corporations and may acquire real estate and use the same for the purposes of the corporation; provide that corporations organized under the laws of Alabama or transacting business in Alabama are authorized to purchase, hold, and dispose of the securities of industrial development corporations; provide that financial institutions are authorized to become members and make loans to such corporations, subject to certain limitations; provide that financial institutions are authorized to acquire the securities and stock of such corporations; provide such corporations shall set aside a portion of earned surplus from year to year as a reserve fund; provide for selecting depositories for funds of such corporations; provide such corporations shall be subject to examination by a certified public accountant and shall file reports with the Secretary of State; provide for the management of such corporations by a board of directors, a president and officers; provide for the dissolution of such corporations; provide that such corporations shall be state development companies as defined in the Small Business Act, of 1958; provide for the payment of annual occupational license tax; provide an effective date.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Neville and Paulk:

H. 669. Relating to counties having populations of not less than 26,000 and not more than 27,000; providing an additional mileage allowance for the members of the governing body of such counties to be used in attending certain conventions.

By Mr. Leonard:

S. 532. An Act to amend Section 2 of Act No. 40, Senate Bill No. 38 of the Special Session of the 1966 Legislature relating to counties having populations of not less than 65,000 nor more than 95,000; providing further for the operation of the offices of District Attorneys in such counties.

By Messrs. Merrill, Burgess and Lybrand:

H. 756. To apply only to counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

By Mr. Brassell:

H. 701. To abolish the public highway and traffic fund in the county treasuries of all counties having populations of not less than 46,000 nor more

than 46,500, according to the most recent federal decennial census; and to provide for the transfer of any monies therein to the general fund in each of such counties and for the deposit in such general fund of such counties of all monies dedicated to construction, maintenance and repair of roads and bridges or to traffic control, hereafter accruing to such counties.

By Mr. Leonard:

S. 531. An Act to amend Section 1 of Act No. 126, House Bill No. 158 of the First Special Session of the 1964 Legislature to provide for the appointment and tenure and number, and fixing the compensation of Bailiffs for Circuit Courts of Alabama in Circuits composed of only one county which has a population of not less than 65,000 nor more than 95,000, according to the most recent Federal Decennial Census.

By Mr. Williams:

H. 595. To provide further for the selection of textbooks and instructional materials for use in the public schools in all counties having populations of not less than 36,600 nor more than 37,600, according to the most recent federal decennial census.

By Messrs. Brassell, Turnham and Higginbotham:

H. 766. Relating to the compensation of members of boards of directors of certain municipal corporations in cities having populations of not less than 20,500 nor more than 28,000, according to the most recent federal decennial census; amending further Section 3 of Act No. 175, S. 280, Regular Session of 1951 (Acts 1951, p. 416).

By Mr. Brassell:

H. 702. Relating to all counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; further regulating the number and compensation of deputies and other employees of the sheriffs in such counties.

By Mr. Brassell:

H. 700. Relating to counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; to provide further for expense allowances to the members and clerk of the county governing bodies in such counties.

By Mr. Brassell:

H. 703. Relating to cities having populations of not less than 20,500 nor more than 28,000; providing an expense allowance for members of the governing body of such cities.

By Mr. Jackson:

S. 535. To provide further for the compensation of the county solicitor or deputy district attorney in all counties having populations of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census.

By Messrs. Pierce and Goodwyn:

S. 573. To amend the title and Sections 1, 2, 3, 4 and 5 of Act No. 481, H. 872, Regular Session 1961 (Acts 1961, p. 540) which act authorizes the establishment of a recreation board in all cities having a population of as many as 100,000 and not more than 200,000 people according to the last or any subsequent decennial federal census and provides for the appointment, duties, powers and authority of said board and that of any such municipality with respect to furnishing recreational facilities independently or jointly with the county or city or county school board, so as to include parks within the purview of this act.

By Mr. Folsom (with notice and proof):

S. 572. To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. McCorquodale and Agee (with notice and proof) (with amendment):

H. 26. To alter or rearrange the boundary lines of the City of Thomasville, Alabama, so as to include in the corporate limits of said city certain territory not now included, and to exclude from the City of Thomasville, Alabama, certain territory now included in the corporate limits of said city.

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. McDermott, Engel, Giles, Skidmore, Folsom, Nabors, Dominick and Morrow:

S. 570. To amend Act No. 531 adopted at the 1953 Regular Session of the Legislature of Alabama relating to pledges by municipalities, for the benefit of their securities, of that portion of the proceeds from any license, privilege or excise tax levied by local act apportioned and paid to such municipality, so that the said act shall hereafter apply to such taxes levied by any act; and to ratify any such pledges heretofore made.

Mr. Leonard, Chairman of the Standing Committee on Counties and County Boundaries, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Smith et al:

H. 556. To provide that the execution of certain contracts and purchases made by or on behalf of the Alabama Institute of Deaf and Blind shall be subject to the provisions of the state competitive bid law as provided by Act No. 217, S. 23, Special Session 1967 (Acts 1967, p. 259) as amended.

By Mr. Smith et al:

H. 557. Relating to schools; authorizing Alabama Institute for Deaf and Blind to provide education at pre-school and junior college levels for deaf, blind, visually handicapped, and otherwise severely handicapped persons.

By Mr. Smith et al:

H. 558. To amend Code of Alabama 1940, Title 52, Sections 528 and 530, in relation to the Institute for Deaf and Blind.

By Mr. Smith et al:

H. 559. Relating to schools; authorizing the Alabama Institute for Deaf and Blind to provide education for non-residents of the state, the expense of such education to be borne by such persons.

By Mr. Smith et al:

H. 560. To amend Act No. 542, H. B. 304, Regular Session 1955, an act relating to the blind and visually handicapped (Acts 1955, v. 2, p. 1197).

By Mr. Smith et al:

H. 561. To amend Act No. 543, H. 303, Regular Session 1955, an act authorizing and providing for the operation of stands in buildings and on properties of the State of Alabama, its agencies, institutions, and political subdivisions by blind persons (Acts 1955, v. 2, p. 1200).

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Pierce and Goodwyn:

S. 529. To provide that any Municipal Corporation may, by proper ordinance, and any county governing body may by proper resolution, regulate the hours of sale of alcoholic beverages or malt and brewed beverages.

Mr. Oden, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Vacca:

S. 493. To amend Section 29 of Act No. 516, H. 769, p. 740, Regular Session, 1949, prescribing the method of riding on motorcycles.

By Mr. Vacca:

S. 494. To amend Section 4 of Act No. 652, S. 129, p. 1006, Regular Session, 1949, prescribing the method of riding on motor driven cycles, or other motor driven two-wheeled or three-wheeled vehicles and to require seats and foot rests for passengers.

By Mr. Owen (Baldwin):

H. 428. To amend Section 16 of Title 23 of the Code of Alabama of 1940 providing for certain rules and regulations of the highway department.

Mr. Oden, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Vacca (with amendment):

S. 455. To require riders and passengers on motorcycles, motor-driven cycles or motorscooters to wear goggles, a face screen or to be protected by a windscreen attached to the vehicle, and to provide for approval of such devices, to restrict sales in Alabama to approved devices, and to provide a penalty for violation of this Act.

RESOLUTIONS

Messrs. Hawkins, Childs, Bailes, Dominick, Vacca, Morrow and Gilmore offered the following Senate Joint Resolution, to-wit:

S. J. R. 31. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Science Building at Jefferson State Junior College be named the H. Y. Carson Building; that the Humanities Building be named the Bethune-DeRamus Building; and that the Student Center be named the Eugene Fitzgerald Building.

On motion of Mr. Hawkins, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. McDermott, Pelham and Engel offered the following Senate Joint Resolution, to-wit:

S. J. R. 32. WHEREAS, The Most Reverend Thomas J. Toolen Archbishop-Bishop of the Diocese of Mobile-Birmingham, in September 1968 celebrated the fifty-eighth anniversary of his ordination as a priest, and

WHEREAS, of these long and fruitful years of service, forty-two years have been spent as Bishop of the Diocese of Mobile-Birmingham, and

WHEREAS, while these long years of service in our State have been difficult and demanding of Archbishop Toolen, yet they have proved most rewarding and beneficial not only to those of the Catholic faith but to all Alabamians, and

WHEREAS, although it may seem that each year witnesses difficulties and problems ever larger and more complex, still this great leader continues to guide his flock in a most capable, understanding and Christian manner, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend Archbishop Toolen on his long and great record of service in Alabama and express our wish that God may grant him many more years of service in his ministry in our State.

BE IT FURTHER RESOLVED That a copy of this Resolution be sent to Archbishop Toolen.

On motion of Mr. McDermott, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. McDermott offered the following Senate Joint Resolution, to-wit:

S. J. R. 33. WHEREAS, Mr. Curtis E. Lord, Sr., and his lovely wife, Mrs. Ruth Lord, were recently nominated as American Legion Post Golden Legionnaires by the Woodie Dixon, Jr., Post of the American Legion in Prichard, where Mr. Lord is a charter member, and

WHEREAS, this outstanding couple has devoted a great amount of their time over the years to worthy civic, patriotic, and fraternal causes; Mr. Lord, a veteran of active military service in World War II, the Korean conflict, and the Berlin crisis, has been Post Commander of Woodie Dixon Post three times and is now serving in that office; he has served as 7th district commander twice and has held other high Legion positions. Mrs. Lord has served as president of the Auxiliary three times and 7th district Auxiliary president twice and has held other Legion Auxiliary offices, and

WHEREAS, these fine persons are outstanding citizens of Chickasaw and have contributed greatly to the civic betterment of that city as well as to the City of Prichard, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend the hearty congratulations of this body to these outstanding citizens and convey our best wishes for many more years of similar accomplishments.

BE IT FURTHER RESOLVED That a copy of this Resolution be sent to Mr. and Mrs. Lord and a copy sent to Woodie Dixon, Jr., Post, American Legion, in Prichard, Alabama.

On motion of Mr. McDermott, the Rules were suspended and the Resolution was adopted by the Senate.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Cooper, further consideration of the Bill, S. B. 222, was indefinitely postponed by the Senate.

On motion of Mr. Skidmore, further consideration of the Bill, S. B. 306, was indefinitely postponed by the Senate.

On motion of Mr. Pierce, further consideration of the Bill, H. B. 659, was indefinitely postponed by the Senate.

BILLS ON THIRD READING

The Bill:

S. 457. To amend Section 6 of Act No. 217, H. 275, approved August 1, 1961, (Acts of Legislature, Regular Session of 1961, Volume 1, pp. 244, et seq.), An Act "To provide for and prescribe the form of government of all cities having populations of not less than 30,000 nor more than 31,500."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	McDermott	Pierce	
Albea	Giles	Morrow	Radney	
Bailes	Gilmore	Nabors	Skidmore	
Branyon	Givhan	O'Bannon	Stone	
Carr	Goodwyn	Oden	Torbert	
Childs	Leonard	Pelham	Turner	
Engel	Lolley			—25

Nays: —0

The Bill:

H. 364. To repeal Act No. 76, H. 457, Regular Session 1965 (Acts 1965, p. 104) entitled "An Act relating to counties having populations of not less than 31,000 nor more than 32,000; to fix the compensation of superintendents of education of such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lolley	Radney	
Branyon	Givhan	McDermott	Skidmore	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 365. Relating to Dale County; providing further for the meetings of the county board of education, and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Lindsey	Pelham	
Albea	Engel	Lolley	Pierce	
Bailes	Folsom	McDermott	Radney	
Branyon	Giles	Morrow	Skidmore	
Carr	Gilmore	Nabors	Stone	
Childs	Givhan	Oden	Torbert	
Clark	Goodwyn			—25

Nays: —0

The Bill:

H. 366. Regulating the compensation of registrars of Dale County, and providing for payment of additional compensation by the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Oden	
Bailes	Engel	Lolley	Pelham	
Branyon	Folsom	McDermott	Pierce	
Carr	Giles	Morrow	Torbert	
Childs	Harris	Nabors	Turner	
Clark	Hawkins	O'Bannon	Vacca	
Cooper	Jackson			—25

Nays: —0

The Bill:

H. 367. To alter, rearrange and extend the boundary lines and corporate limits of the City of Ozark, Dale County, so as to annex certain territory to the city.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lolley	Oden	
Albea	Giles	McCarley	Pelham	
Bailes	Gilmore	McDermott	Pierce	
Branyon	Givhan	Morrow	Radney	
Carr	Goodwyn	Nabors	Skidmore	
Childs	Harris	O'Bannon	Stone	
Engel	Leonard			—25

Nays: —0

The Bill:

H. 627. Relating to counties having populations of not less than 31,000 nor more than 32,000; fixing the compensation and providing an expense allowance for the county governing body; and to validate actual expenses heretofore paid for travel and other expenses incurred in the performance of duties outside the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pelham	
Branyon	Givhan	McDermott	Pierce	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 626. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the City of Ozark and in the territory of Dale County exclusive of Ozark.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Goodwyn	Oden	
Albea	Dominick	Leonard	Pelham	
Bailes	Engel	Lindsey	Pierce	
Branyon	Folsom	Lolley	Radney	
Carr	Giles	Nabors	Skidmore	
Childs	Gilmore	O'Bannon	Stone	
Clark	Givhan			—25

Nays: —0

The Bill:

H. 692. Relating to the public school funds of Limestone County; authorizing the board of education to budget and expend funds for the office of the county superintendent of education, and to regulate the salary, expenses and allowances of the superintendent; providing for the payment of monthly expense allowances to members of the board of education from such funds.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Morrow	
Bailes	Engel	Leonard	Pelham	
Branyon	Folsom	Lindsey	Pierce	
Carr	Giles	Lolley	Torbert	
Childs	Gilmore	McCarley	Turner	
Clark	Givhan	McDermott	Vacca	
Cooper	Harris			—25

Nays: —0

The Bill:

S. 554. To amend further Section 5 of an Act entitled an Act "To provide for appointment of official court reporters of the circuit courts of those circuits which are now, or which may hereafter be, composed of only one county and having not less than six nor more than twelve circuit judges; to provide for their qualifications, to fix their compensation, to define their duties and provide for the appointment of special reporters in such cases; and to repeal all laws which may be in conflict herewith", approved April 8, 1955.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Hawkins	Pelham	
Albea	Engel	Jackson	Skidmore	
Bailes	Giles	Lolley	Stone	
Branyon	Gilmore	McDermott	Torbert	
Carr	Givhan	Nabors	Turner	
Childs	Goodwyn	O'Bannon	Vacca	
Clark	Harris			—25
Nays:				—0

The Bill:

H. 642. Relating to counties having a population of not less than 13,700 nor more than 14,300; increasing the salary of the deputy solicitor in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Branyon	Giles	Nabors	Stone	
Childs	Gilmore	O'Bannon	Torbert	
Clark	Givhan	Oden	Turner	
Cooper	Jackson	Pelham	Vacca	
Dominick	Leonard			—25
Nays:				—0

The Bill:

H. 726. Relating to Elmore County: abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Pelham	
Albea	Giles	Lolley	Radney	
Bailes	Gilmore	McCarley	Stone	
Branyon	Givhan	McDermott	Torbert	
Carr	Goodwyn	Morrow	Turner	
Childs	Harris	Nabors	Vacca	
Engel	Leonard			—25
Nays:				—0

RECESS

At 1:20 P.M., on motion of Mr. Cooper, the Senate took a recess until 2:15 this afternoon.

The recess period having expired, the Senate was called to order by President Pro Tempore Goodwyn.

A quorum of the Senate was present.

BILLS ON THIRD READING RESUMED

The Bill:

H. 730. To alter, rearrange, redefine, and extend the boundary lines and corporate limits of the Town of Camp Hill, in Tallapoosa County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Pelham	
Branyon	Givhan	McCarley	Radney	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 572. Relating to Tallapoosa County; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act and the collection and use of the proceeds of the tax; prescribing penalties for violations.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Radney	
Bailes	Giles	Lolley	Stone	
Branyon	Gilmore	McCarley	Torbert	
Carr	Givhan	McDermott	Turner	
Childs	Goodwyn	Oden	Vacca	
Clark	Harris			—25

Nays: —0

The Bill:

H. 654. To provide that the Governing Body of any City or town in any county in the State of Alabama having a population, according to the last or any future Federal Census, in excess of 300,000 inhabitants and less than 600,000 inhabitants may, by resolution or ordinance, create the position of Assistant City Attorney on a full time basis, and designate the position to be that of the Senior Assistant City Attorney, or Principal Attorney, or other such appropriate title; and may provide by the same resolution or ordinance

that any person presently holding such position in the municipal government shall be immediately placed upon the employment roster of any countrywide Civil Service or merit system of such county, without examination and without any decrease in the salary of such person, and such position shall thereafter remain under the provisions of any such countrywide Civil Service or merit system.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	Leonard	Pelham	
Albea	Gilmore	Lindsey	Skidmore	
Bailes	Givhan	Lolley	Stone	
Branyon	Goodwyn	McDermott	Torbert	
Carr	Harris	Nabors	Turner	
Dominick	Hawkins	O'Bannon	Vacca	
Engel	Jackson			—25
Nays:				—0

The Bill:

H. 286. To alter, rearrange and extend the boundary lines and corporate limits of the City of Prichard in Mobile County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Pelham	
Branyon	Giles	Lindsey	Skidmore	
Carr	Gilmore	Lolley	Stone	
Childs	Givhan	McDermott	Torbert	
Clark	Goodwyn	Nabors	Turner	
Cooper	Harris	O'Bannon	Vacca	
Dominick	Hawkins			—25
Nays:				—0

The Bill:

S. 556. Relating to counties having populations of not less than 300,000 nor more than 500,000; prohibiting the killing of unantlered male deer.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Radney	
Albea	Givhan	Lolley	Skidmore	
Bailes	Goodwyn	McDermott	Stone	
Branyon	Harris	Nabors	Torbert	
Carr	Hawkins	O'Bannon	Turner	
Childs	Jackson	Pelham	Vacca	
Clark	Leonard			—25
Nays:				—0

The Bill:

H. 737. To provide for the expenses of members of the Boards of Educations in counties having a population of not less than 14,500 nor more than 14,900 according to the last federal decennial census and to limit such payment to $50.00 per month.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lolley	Radney	
Albea	Giles	McCarley	Skidmore	
Bailes	Harris	McDermott	Stone	
Clark	Hawkins	Morrow	Torbert	
Cooper	Jackson	Nabors	Turner	
Dominick	Leonard	Oden	Vacca	
Engel	Lindsey			—25

Nays: —0

The Bill:

H. 738. To provide for additional expenses for additional travel for the chairmen and members of the County Boards of Revenue or other County Governing Bodies in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to limit such additional expense payments to $50.00 per month to the Chairman of such county governing body and to $100.00 per month to the members thereof, and to provide an expiration date for this Act: and to repeal all laws in conflict herewith.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Oden	
Albea	Giles	Lolley	Pierce	
Bailes	Gilmore	McCarley	Radney	
Branyon	Givhan	McDermott	Skidmore	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Engel	Leonard			—25

Nays: —0

The Bill:

H. 739. To further provide for the expenses of the County Solicitor in counties having a population of not less than 21,800 nor more than 21,850, according to the last or any subsequent federal decennial census, and to limit such payment to one hundred dollars ($100) per month for travel required.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Branyon	Folsom	Lolley	Radney	
Carr	Giles	McCarley	Skidmore	
Childs	Gilmore	McDermott	Stone	
Clark	Givhan	Oden	Torbert	
Cooper	Goodwyn	Pelham	Turner	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 740. To provide for additional expenses of Chief Deputy Sheriffs in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to limit such additional payments for expenses to $100 per month and to provide an expiration date for this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Nabors	
Albea	Folsom	Lindsey	Oden	
Bailes	Giles	Lolley	Pelham	
Branyon	Gilmore	McCarley	Pierce	
Carr	Givhan	McDermott	Radney	
Childs	Goodwyn	Morrow	Skidmore	
Clark	Harris			—25

Nays: —0

The Bill:

H. 741. To provide for the expenses of members of the Boards of Education in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to limit such payment to $50.00 per month.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McCarley	Skidmore	
Branyon	Gilmore	McDermott	Stone	
Carr	Givhan	Oden	Turner	
Childs	Jackson	Pelham	Vacca	
Clark	Leonard			—25

Nays: —0

The Bill:

H. 742. To provide for certain court reporters in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to provide for their appointment and compensation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McDermott	Radney	
Branyon	Givhan	Morrow	Skidmore	
Carr	Goodwyn	Nabors	Stone	
Childs	Harris	O'Bannon	Torbert	
Clark	Hawkins	Oden	Turner	
Cooper	Jackson	Pierce	Vacca	
Dominick	McCarley			—25
Nays:				—0

The Bill:

H. 743. To provide for the expense of judges of certain courts in counties with population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to provide for an effective date and an expiration date for this Act: and to repeal all laws in conflict therewith.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Nabors	
Albea	Folsom	Lindsey	Oden	
Bailes	Giles	Lolley	Pierce	
Branyon	Gilmore	McCarley	Radney	
Carr	Givhan	McDermott	Skidmore	
Childs	Goodwyn	Morrow	Stone	
Clark	Harris			—25
Nays:				—0

The Bill:

S. 478. To provide for voluntary and temporary or emergency admissions of patients at certain state hospitals and facilities maintained for treatment of the mentally ill, and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 23; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Pierce	
Albea	Gilmore	Lolley	Radney	
Bailes	Goodwyn	McCarley	Skidmore	
Childs	Harris	Nabors	Stone	
Cooper	Jackson	Oden	Turner	
Dominick	Leonard	Pelham	Vacca	
				—23
Nays:				—0

The Bill:

H. 13. To amend Act No. 239, H. 220, Regular Session 1967 (Acts of 1967, p. 615), which creates a board of trustees to manage and control Jacksonville State University, and divests the state department of education of jurisdiction, power and authority with respect to the supervision, management and control of such university, so as to provide further for the annual meeting of said board of trustees.

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Nabors
Albea	Engel	Jackson	Pierce
Bailes	Folsom	Leonard	Radney
Branyon	Gilmore	Lindsey	Skidmore
Childs	Goodwyn	Lolley	Stone
Cooper	Harris	McCarley	Vacca

—23

Nays: —0

RESOLUTIONS

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 34. RESOLVED BY THE SENATE That the following Bills shall be the paramount and continuing order of business for the Fifteenth Legislative Day only:

Bill No.	Page
SB 445	52
SB 510	58
SB 511	57
SB 268	18
HB 310	55
SB 310	49
SB 426	35
SB 170	7
SB 311	33
SB 190	26
SB 8	5
SB 201	20
SB 476	42
SB 48	30
SB 109	31
SB 337	30
SB 278	32

SB 120	3
SB 121	3
SB 122	4
SB 378	40
SB 15	5

On motion of Mr. Clark, the Resolution was adopted by the Senate.

SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount and continuing order of business for today, the first of which was the Bill:

S. 445. To amend paragraphs (1) and (3) of subsection C of Section 279 and Sections 289, 293 and 299, all being of Title 26, Code of Alabama 1940, as last amended, pertaining to the Workmen's Compensation Law.

And said Bill, S. B. 445, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Nabors	
Albea	Folsom	Leonard	Oden	
Bailes	Giles	Lindsey	Pierce	
Branyon	Gilmore	Lolley	Skidmore	
Childs	Givhan	McCarley	Stone	
Clark	Goodwyn	McDermott	Torbert	
Cooper	Harris	Morrow	Vacca	
Dominick	Hawkins			—29

Nays: —0

The Bill:

S. 268. To amend Sections 7, 8 and 12 of Act No. 558, Regular Session, 1943, approved July 9, 1943 (Alabama Acts of 1943, page 548 et seq.), by providing for the preparation and use of uniform accident reporting forms.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 28; Nays 0.

Yeas:

Messrs.:	Giles	Lolley	Pelham	
Bailes	Gilmore	McCarley	Pierce	
Branyon	Goodwyn	McDermott	Radney	
Childs	Harris	Morrow	Skidmore	
Clark	Jackson	Nabors	Stone	
Cooper	Leonard	O'Bannon	Torbert	
Dominick	Lindsey	Oden	Vacca	
Folsom				—28

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 303. To amend Act No. 403, Section 2, Acts of Alabama 1967, Vol. II, Page 1016, which provides for the sale of bonds in the amount of $5,000,000 for the purpose of constructing and equipping a four year college or branch of Auburn University.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pierce, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 303, the title of which is set out in the foregoing Message from the House, to-wit:

SUBSTITUTE FOR SENATE BILL NO. 303

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 403 adopted at the 1967 Regular Session of the Legislature of Alabama relating to the establishment in the City of Montgomery of a college or branch of Auburn University and the issuance of bonds therefor by Alabama Public School and College Authority so as to provide that the said college or branch may be located in either or both the said city and in its police jurisdiction, and that the net proceeds from the sale of the bonds authorized in the said Act No. 403 may be used for the acquisition as well as the construction and equipment of physical facilities, so as to eliminate from the said act the provisions permitting the use of a portion of the proceeds from the said bonds for support and maintenance of the said college or branch, so as to clarify the provisions of the said act which have the effect of incorporating therein by reference Act No. 243 adopted at the First Special Session of 1965 of the Legislature, and so as to make the said incorporation by reference applicable to the said Act No. 243 as amended by an act adopted at the 1969 Regular Session of the Legislature.

Be it Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 403 adopted at the 1967 Regular Session of the Legislature shall be and hereby is amended so that the said Section 1 shall read as follows:

Section 1. The Alabama Public School and College Authority created and established under the provisions of Act No. 243, H. 29, approved May 4, 1965 (Acts, First Special Session 1965, p. 331) is hereby authorized to issue and sell its bonds in the principal amount of $5,000,000 in addition to all other bonds heretofore issued or heretofore authorized to be issued by said Authority. All bonds sold under authority of this Act shall be issued, secured by, and the principal and interest amortized and paid in the same manner and from the same funds as prescribed in said Act No. 243, as amended by

an act adopted at the 1969 Regular Session of the Legislature, with respect to bonds issued by the said Authority. For the purpose of providing funds to enable the Authority to pay at their respective maturities the principal of and interest on any bonds issued by it under the provisions of this Act and to accomplish the objects of this Act, there is hereby irrevocably pledged to such purpose and appropriated such amount of money as may be necessary for that purpose out of the residue of the receipts from the excise taxes referred to in Section 11 of the said Act No. 243 and required by law to be paid into the Alabama Special Educational Trust Fund remaining each year after providing for payment of the principal of and interest on all bonds that constitute a prior charge on the said residue.

Section 2. Section 2 of the said Act No. 403 shall be and hereby is amended so that the said Section 2 shall read as follows:

Section 2. The proceeds of all bonds issued and sold by the Authority under this act remaining after paying expenses of their issuance shall be deposited in the state treasury and shall be carried in the state treasury in a special or separate account. The net proceeds derived from the sale of the bonds shall be distributed to Auburn University to be used by the board of trustees thereof for the acquisition, construction and equipment of physical facilities for conducting a four year college or branch of the University in either or both the City of Montgomery and its police jurisdiction.

Section 3. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed to the extent of such conflict.

Section 5. This Act shall become effective immediately upon its passage by the Legislature and approval by the Governor, or upon its otherwise becoming law.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Nabors	
Albea	Folsom	Leonard	Oden	
Bailes	Giles	Lindsey	Pelham	
Branyon	Gilmore	Lolley	Pierce	
Childs	Goodwyn	McCarley	Radney	
Clark	Harris	McDermott	Skidmore	
Cooper	Hawkins	Morrow	Vacca	
Dominick				—28

Nays: —0

BILLS ON THIRD READING RESUMED

The Bill:

S. 510. To amend Section 1 of Act No. 21 adopted at the Extraordinary Session of 1969 of the Legislature of Alabama so as to change the definition of "Utility" as said definition appears in said Section 1.

was taken up.

Mr. Nabors offered the following amendment to the Bill, S. B. 510, to-wit:

Amend S. B. 510 by striking the definition of "Utility" in Section 1 and inserting in lieu thereof the following:

'Utility' shall mean every person regularly engaged in furnishing utility services to another person or persons in the State of Alabama; except any person furnishing 'Domestic water'.

On motion of Mr. Clark, said amendment was laid on the table.

Mr. Nabors then offered the following amendment to the Bill, S. B. 510, to-wit:

Amend S. B. 510 by striking the definition of "Utility" in Section 1 and inserting in lieu thereof the following:

'Utility' shall mean every person regularly engaged in furnishing utility services to another person or persons in the State of Alabama; except any person furnishing water primarily for human consumption, notwithstanding any other definition, phrase or phrases set out in said Act No. 21 adopted at the Extraordinary Session of 1969 of the Legislature of Alabama.

On motion of Mr. Clark, said amendment was laid on the table.

Yeas 16; Nays 14.

Yeas:

Messrs.:	Gilmore	Lolley	Skidmore	
Clark	Givhan	McDermott	Stone	
Cooper	Goodwyn	Oden	Torbert	
Engel	Lindsey	Pierce	Vacca	
Giles				—16

Nays:

Messrs.:	Dominick	Jackson	O'Bannon	
Albea	Folsom	McCarley	Pelham	
Bailes	Harris	Morrow	Radney	
Childs	Hawkins	Nabors		—14

And said Bill, S. B. 510, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Oden	
Albea	Giles	Lindsey	Pierce	
Bailes	Gilmore	Lolley	Radney	
Branyon	Givhan	McCarley	Skidmore	
Clark	Goodwyn	McDermott	Stone	
Cooper	Harris	Morrow	Torbert	
Dominick	Hawkins	Nabors	Vacca	
Engel	Jackson			—29

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House to request that the Senate return to the House Senate Bill 185 for further consideration by the House.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Stone, the Senate acceded to the request of the House for the return of the Bill, S. B. 185.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	O'Bannon
Albea	Folsom	Leonard	Oden
Bailes	Giles	Lindsey	Pierce
Branyon	Gilmore	Lolley	Radney
Childs	Givhan	McCarley	Skidmore
Clark	Goodwyn	McDermott	Stone
Cooper	Harris	Morrow	Torbert
Dominick	Hawkins	Nabors	Vacca

—31

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 395. To regulate the compensation of the county superintendent of education of counties having a population of 10,800 to 12,000 according to the latest federal census; and repeal conflicting laws.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 40. To regulate the compensation and allowances of members of the board of education of Covington County and provide for the payment thereof.

Also:

H. 75. To provide for the compensation of jurors in Geneva County.

Also:

H. 76. Relating to Geneva County; regulating and providing for the payment of compensation of election officers.

Also:

H. 77. To amend Act No. 207, H. 575, approved August 13, 1957, which authorizes and requires the court of county commissioners, board of revenue or other like governing body of Geneva County to provide clerk-hire allowances for the clerk of the circuit court, the tax assessor, the tax collector, and sheriff of Geneva County, so as to increase the amount of such allowances.

Also:

H. 202. Relating to all counties having a population of not less than 100,000 nor more than 115,000 according to the most recent federal decennial census; fixing the compensation of election officers in said counties.

Also:

H. 243. To amend further Section 7 of Act No. 13, H. 5, First Special Session 1955 (Acts 1955, p. 37), an act relating to the reorganization of the government of Cullman County, so as to provide further for the office of the resident county engineer.

Also:

H. 208. To provide for the selection of textbooks and instructional materials for use in the public schools of Bibb County.

Also:

H. 245. To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payment, distribution and use of the proceeds, so as to provide further for the use of the proceeds of such taxes.

Also:

H. 249. Relating to Dallas County; to authorize the county governing body of such county to contribute county funds towards the construction of a Y.M.C.A. building.

Also:

H. 250. To amend Section 1 of an act approved February 20, 1931, enlarging the powers of the court of county revenues of Dallas County (Act No. 51, S. 12, Local Acts of Alabama 1931, p. 15) so as to change the meeting date of regular sessions of the court from the first Monday of each month to the second Monday.

Also:

H. 363. Relating to Dale County; providing further for the compensation of superintendent of education; repealing conflicting laws.

Also:

H. 589. Relating to counties having a population of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census; to grant an allowance for clerical help to the circuit clerks in such counties.

Also:

H. 504. To amend Act No. 119, H. 24, of the Special Session of 1967 (Acts of 1967, p. 166) which relates to the government of Lawrence County and, among other things, establishes the court of county commissioners of Lawrence County and provides for the organization, powers, jurisdiction and duties of such court and for the qualifications, election and compensation of the members thereof, amending Section 2 of such act in order to provide for the nomination and the election of members of such court of county commissioners by the county at large.

Also:

H. 505. To amend Act No. 272, H. 688, Regular Session 1949 (Acts 1949, p. 399) which fixes the compensation of the coroner of Lawrence County; to provide further for the compensation of such coroner.

Also:

H. 506. Relating to Lawrence County; to authorize the coroner of such county to appoint an assistant coroner.

Also:

H. 610. Relating to counties having population of not less than 25,400 nor more than 25,600, according to the most recent federal decennial census; providing for the County Board of Education to set the annual salary of the Superintendent of the County Board of Education.

Also:

H. 651. To regulate the compensation of county superintendents of education in counties having populations of not less than 22,500 nor more than 24,550.

Also:

H. 507. Relating to the office of sheriff in counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census; providing for an allowance for uniforms for the sheriff, his deputies and other employees of the sheriff's department in all such counties; authorizing the sheriff in all such counties to appoint two additional deputies sheriff; and providing for the compensation of such additional deputies.

Also:

H. 508. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 22,500

nor more than 24,550, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

Also:

H. 41. To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Also:

H. 158. To allow the Sheriff of St. Clair County, Alabama, two (2) additional Deputies Sheriff to that now provided by law; to fix the salary of said Deputies and to make the same payable out of the general fund of St. Clair County, in monthly installments.

Also:

H. 159. To amend Act No. 124, H. 154, First Special Session 1964, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county.

Also:

H. 160. Relating to St. Clair County; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

Also:

H. 161. To alter, rearrange and extend the boundaries and corporate limits of the Town of Riverside, St. Clair County, Alabama so as to annex certain territory to the town.

Also:

H. 219. Relating to all counties having populations of not less than 11,000 nor more than 13,000, according to the most recent federal decennial census; to confer additional powers on the Circuit Clerk of Clay County.

Also:

H. 223. To confer additional powers on the Circuit Clerk of Coosa County.

Also:

H. 224. To further regulate the sale of spirituous or vinous liquors and malt or brewed beverages in Coosa County.

Also:

H. 233. Relating to counties having populations of not less than 30,550 and not more than 31,000; providing for the appointment and terms of office of the directors of hospital associations organized in such counties.

Also:

H. 241. Relating to the compensation of election officials in Cullman County; repealing conflicting laws.

Also:

H. 242. To provide for the compensation of jurors in Cullman County.

Also:

H. 252. To apply only in counties having populations of not less than 96,000 nor more than 106,000, regulating the compensation and allowances of members of the county board of education.

Also:

H. 253. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the town of Hartford in Geneva County.

Also:

H. 257. To amend further Section 3 of Act No. 149, H. 441, Acts 1951, p. 333 relating to Greene County, so as to make further provisions respecting the compensation of the chairman of the court of county commissioners.

Also:

H. 258. To alter, rearrange and extend the boundaries and corporate limits of the town of Gordo, Pickens County, Alabama, so as to annex certain territory to the town.

Also:

H. 259. To relieve the court of county commissioners, board of revenue or other like governing body of Greene County from responsibility of providing space and equipment to the county board of education and to provide in lieu thereof a cash payment.

Also:

H. 284. Providing for the compensation and meeting days of the jury commission in every county of this state having populations of not less than 20,500 nor more than 21,850, according to the most recent federal decennial census; and providing that this Act shall have retroactive effect.

Also:

H. 291. To amend Act No. 624, H. 1001, of the 1965 Regular Session (Acts of Alabama 1965, p. 1137), which applies only to certain counties classified on a population basis, and further regulates the filing for record of certain legal documents, makes unlawful the filing thereof unless certain endorsements are entered on such documents, provides that the falsification of such endorsements is a misdemeanor, and exempts judges of probate of the counties to which it applies from liability for errors in the performance of the duties imposed by the act if such errors are committed in good faith, so as to change the population span of the classification used in the act.

Also:

H. 305. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 27, Township 16 North, Range 17 East, Montgomery County, Alabama.

Also:

H. 306. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16 North, Range 18 East, Montgomery County, Alabama.

Also:

H. 307. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 5, Township 15 North, Range 18 East, Montgomery County, Alabama.

Also:

H. 319. To apply only in counties having populations of not less than 25,800 nor more than 26,700; to provide for the appointment of the County Superintendent of Education; to prescribe his qualifications, duties and term of office; and to repeal all conflicting laws.

Also:

H. 323. Relating to the eighteenth Judicial Circuit; providing for separation of Jury by consent in the Circuit Courts of the counties composing such circuit.

Also:

H. 372. To authorize county boards of education in all counties having a population of not less than 33,000 nor more than 35,000, to appoint the superintendent of education for such counties.

Also:

H. 407. To provide a supplement payable by the counties for any judge of the 15th Judicial Circuit of Alabama who becomes supernumerary circuit judge.

Also:

H. 415. To alter, rearrange and establish commissioners districts in Pickens County.

Also:

H. 416. Relating to Pickens County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Also:

H. 417. Providing expense allowances for members of the governing bodies of counties having populations of not less than 16,500 nor more than 17,500, to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

Also:

H. 436. Relating to counties having populations of not less than 76,000 nor more than 96,000; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

Also:

H. 448. Relating to the office of the sheriff of Covington County; providing for the compensation of the chief deputy sheriff and for the appointment, number, duties and compensation of additional deputies; repealing conflicting laws and specifically repealing the following acts relating to the salary of the chief deputy sheriff and to the number and compensation of the additional deputies: Act No. 269, H. 615; Act No. 270, H. 616 and Act No. 382, H. 75 all of the Regular Session 1953 (Acts 1953, pp. 338; 339; 452); Act No. 46, H. 205 and Act No. 47, H. 206 both of the Regular Session 1957 (Acts 1957, p. 90).

Also:

H. 457. Relating to counties having populations of not less than 36,600 nor more than 37,600 according to the most recent federal decennial census; to provide further for expense allowances for the judge of the county court in all such counties.

Also:

H. 536. Relating to law enforcement in Conecuh County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

Also:

H. 549. Relating to the City of Troy in Pike County: To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

Also:

H. 608. To alter, rearrange and extend the boundary lines and corporate limits of the town of Clayton in Barbour County.

Also:

H. 611. To alter, rearrange, extend, and redefine the boundaries and corporate limits of the Town of Blountsville in Blount County.

Also:

H. 624. Relating to Conecuh County; providing further for the compensation of the deputy sheriffs of said county.

Also:

H. 630. Relating to Greene County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Also:

H. 662. Relating to Pike County; to provide for election of County Commissioners by the qualified electors of the county at large.

Also:

H. 664. Relating to Shelby County; levying a tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in Shelby County, Alabama, for any use, gasoline, and diesel fuel as defined by this Act; providing for the collection and enforcement of the tax; and prescribing and restricting the use to which the proceeds thereof may be applied.

Also:

H. 221. Relating to all counties having populations of not more than 10,800, according to the most recent federal decennial census; further regulating the salary of the county superintendent of education in each such county.

Also:

H. 222. To authorize the court of county commissioners or like governing body of Coosa County to levy a privilege or license tax on persons, firms and corporations, selling, distributing or delivering any malt or brewed beverages to retailers in Coosa County; to authorize said governing body of Coosa County to collect the tax, and to make rules and regulations to govern enforcement and collection of the tax; to provide for the rate of the tax and the use of the proceeds thereof.

Also:

H. 254. To apply only in counties having populations of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization.

Also:

H. 256. Relating to all counties having populations of not less than 15,000 nor more than 15,300, according to the most recent federal decennial census; to authorize the governing body of each such county to pay the salaries of clerks for the tax assessor and the tax collector of the county.

Also:

H. 39. Proposing an amendment to the Constitution of Alabama providing for a special school tax in school districts number 1 and 2, Covington County.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 52. To apply only in Elmore County; fixing the fee for issuance of pistol permits by the sheriff and providing for distribution and use of such fees.

Also:

H. 53. To fix the allowance for travel expenses provided the sheriff of Elmore County.

Also:

H. 54. To amend further Section 6 of Act No. 49, H. 213, Regular Session 1957, an act providing for a chief deputy sheriff and other deputies of the sheriff of Elmore County and regulating their compensation and allowances.

Also:

H. 55. Relating to Elmore County; providing expense allowances for members of the board of equalization of Elmore County.

Also:

H. 56. Relating to Elmore County; providing expense allowances for members of the county board of registrars.

Also:

H. 197. To amend act proposed at the Special Session of the Alabama Legislature, 1969, by House Bill 90 in order to include children suffering from dyslexia among the children entitled to assistance under such law.

Also:

H. 540. Relating to counties having populations of not less than 150,000 nor more than 300,000; to provide further for the duties and authority of the judge of probate; and to prescribe further the manner of keeping records and recording documents, instruments and paper; to provide for the discontinuance of keeping copies or prints or records in well-bound books.

Also:

H. 541. Relating to counties having populations of not less than 150,000 nor more than 300,000; to provide further for the duties and authority of the judge of probate in such counties; to authorize and permit the discontinuance of keeping both "Minute Books" and "Final Record Books;" to authorize the probate judge to adopt and promulgate reasonable rules and regulations controlling public access to the system of recording and preserving records; to provide the manner of keeping records of the probate of wills; to prescribe the procedure for selling copies of certain records; and repealing conflicting laws.

Also:

H. 650. To alter, rearrange and extend the boundary lines and corporate limits of the town of Town Creek in Lawrence County.

Also:

H. 37. Proposing an amendment to the Constitution of Alabama providing for a special school tax in school districts numbers one and two in Colbert County.

Also:

H. 509. To propose an amendment to the Constitution of Alabama relating to Lawrence County that would empower each school district in said county, when authorized at any election therein, to levy and collect a special five mill district school tax on the assessed valuation of the taxable property in such district for public school purposes in such district, and conferring upon the county board of education of said county the power under some circumstances and without an election to change the boundaries of any school district in said county or consolidate any two or more school districts therein.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill and House Joint Resolutions, your signature thereto is requested.

H. 1. Relating to all counties having populations of not less than 48,100 nor more than 49,700 according to the most recent federal decennial census; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the probate judge; requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general fund of the county; and defining terms.

Also:

H. J. R. 38. Relative to adjournment between the dates of June 12, 1969 and June 17, 1969.

Also:

H. J. R. 39. Saluting Mr. H. Earle Williams upon his retirement.

Also:

H. J. R. 41. Extending good wishes and expressing appreciation to Miss Agnes Brindley upon her retirement as Administrative Assistant to the Superintendent of Education.

Also:

H. J. R. 42. Naming the Business Administration Building at Jacksonville State University "Hugh Merrill Hall."

Also:

H. J. R. 43. Commending Mrs. Ann Davis of Eufaula for her heroic actions and aquatic skill in rescuing three small boys from drowning.

Also:

H. J. R. 44. Naming the school of law enforcement at Jacksonville State University "The Albert P. Brewer School of Law Enforcement."

Also:

H. J. R. 45. Naming the athletic dormitory at Jacksonville State University the "Don Salls Dormitory."

Also:

H. J. R. 46. Naming the so-called "Round House" on the campus of Jacksonville State University "Marvin Anders Auditorium."

Also:

H. J. R. 47. Naming the new girls' dormitory at Jacksonville State University "The Ivo Hall Sparkman Dormitory."

Also:

H. J. R. 49. Congratulating Dr. Forest David Mathews upon his appointment to the presidency of the University of Alabama at Tuscaloosa.

Also:

H. J. R. 50. Congratulating Dr. Joseph F. Volker upon his nomination to the presidency of the University of Alabama Complex at Birmingham.

Also:

H. J. R. 52. Memorializing the Congress of the United States to amend the laws concerning veterans and veterans' affairs to eliminate the so-called "Pauper's Oath" as a prerequisite to entrance by a veteran into a Veterans' Administration Hospital.

Also:

H. J. R. 53. Commending the Retired Men's Club of Tuscaloosa.

Also:

H. J. R. 54. Commending the 1969 Girls State Staff members and counselors.

Also:

H. J. R. 55. Relative to the adjournment of the legislature on June 25, 1969 and the meeting again on July 8, 1969.

Also:

H. J. R. 56. Relative to mourning the death of Curtis Adrian Gentry, Jr. of Mobile, Alabama.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a

quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 57. Mourning the death of Mr. William P. Bloom, of Tuscaloosa.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 183. To make an appropriation for the use of the board of adjustment for making awards to widows and dependents of certain peace or law enforcement officers and firemen killed in line of duty.

Also:

S. 184. To amend Act 833, S. 128 Regular Session 1965 (Acts of Alabama 1965, p. 1564), an act creating the State Employees' Insurance Board so as to increase the employers maximum contribution.

Also:

S. 186. To propose an amendment to the Constitution of Alabama to authorize the state to engage in works of internal improvement in connection with (1) the construction and maintenance of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary and (2) to authorize the state to issue in connection therewith interest-bearing general obligation bonds of the state in principal amount not exceeding $10,000,000; and (3) to authorize the state to establish a public corporation with the powers and resources necessary to undertake obligations authorized by this amendment to be undertaken by the state.

Also:

S. 230. To make an additional appropriation to the Division of Forestry of the Department of Conservation for the fiscal year ending September 30, 1969.

Also:

S. 231. To amend Act 22, First Special Session 1969, approved May 14, 1969 so as to change the effective date thereof.

Also:

S. 241. To authorize the state comptroller to close out certain inactive funds in the state treasury and transfer the balance in such funds to the state general fund.

Also:

S. 250. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding $4,000,000 for the purpose of financing the work required of the Alabama State Docks as the local sponsoring agency for the improvement in Mobile Harbor, Alabama, known as the Theodore Ship Channel project or for the purpose of financing the construction, dredging of approaches thereto and equipment of works of internal improvement for use and operation as a part of additional State Docks facilities.

Also:

S. 276. To provide for the payment of compensation of officers, agents and employees of the Department of Public Safety, and to provide for the payment of expenses for subsistence and necessary equipment of the department when such officers, agents or employees shall be called upon by the Governor, or the appointing authority of the department, to perform duties relating to the control of civil disturbances, the restoration or preservation of the public order, or to perform rescue or protective duties at a natural or man-made disaster extending beyond twenty-four hours.

Also:

S. 289. Relating to displacement of individuals, families, farm operations, businesses and non-profit organizations; providing that payments may be made to them as a result of moving from their home, farm, or business due to acquisition of their property for highway construction purposes; providing that relocation moving payments be considered a part of highway construction; providing that the Highway Department may provide a relocation advisory assistance program in keeping with this Act; providing optional modes of payment to those displaced and covered under this Act; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this Act; authorizing the Highway Director to adopt applicable federal rules and regulations to implement this Act and to comply with the relocation assistance provisions of the Federal-Aid Highway Act of 1968 and subsequent Federal Acts related thereto; repealing Section 39 (2), Title 23, Code of Alabama, 1940, recompiled 1958; to provide how this Act may be cited; and to provide a severability clause.

Also:

S. 301. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding $3,000,000.00 in aggregate principal amount.

Also:

S. 302. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding $3,000,000.00 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the Special Tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority, to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

Also:

S. 364. To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

Also:

S. 365. To provide a cost of living increase to certain retired members of the Employees' Retirement System of Alabama.

Also:

S. 366. To amend Sections 3, 5, 7 and 8 of Act No. 515, HB 93, approved July 9, 1945, (General Acts 1945, Page 734) as amended, which relates to the Employees' Retirement System of Alabama.

Also:

S. 372. To appropriate the sum of Five Thousand Dollars ($5,000.00) to cover costs incurred by the Game and Fish Division of the Department of Conservation of the State of Alabama in hosting the annual meeting of the Southeastern Association of Game and Fish Commissioners.

Also:

S. 387. To provide for abatement of ad valorem taxes on property acquired by condemnation or otherwise by the State of Alabama or any agency or instrumentality thereof.

Also:

S. 307. Relating to state employment; providing for payment of certain expenses of job transference.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

BILLS ON THIRD READING RESUMED

The Bill:

S. 511. To amend Section 1 of Act No. 37 adopted at the Extraordinary Session of 1969 of the Legislature of Alabama so as to change the definition of "Utility" as said definition appears in said Section 1.

was taken up.

Mr. Nabors offered the following amendment to the Bill, S. B. 511, to-wit:

AMENDMENT TO S. B. 511

Amend S. B. 511 by striking "Utility" in Section 1 and inserting in lieu thereof the following:

'Utility' shall mean every person regularly engaged in furnishing utility services to another person or other persons in the State of Alabama; except such person furnishing domestic water, but shall include any person or persons furnishing carbonated beverages, whether in bottles or in cans.

On motion of Mr. Clark, said amendment was laid on the table.

And said Bill, S. B. 511, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 28; Nays 1.

Yeas:

Messrs.:	Engel	Jackson	O'Bannon	
Albea	Folsom	Leonard	Oden	
Bailes	Giles	Lindsey	Pierce	
Branyon	Gilmore	Lolley	Radney	
Childs	Givhan	McCarley	Skidmore	
Clark	Goodwyn	McDermott	Stone	
Cooper	Hawkins	Morrow	Vacca	
Dominick				—28

Nay: Mr. Nabors —1

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 726. Relating to Elmore County: abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

Also:

H. 364. To repeal Act No. 76, H. 457, Regular Session 1965 (Acts 1965, p. 104), entitled "An Act relating to counties having populations of not less than 31,000 nor more than 32,000; to fix the compensation of superintendents of education of such counties."

Also:

H. 365. Relating to Dale County; providing further for the meetings of the county board of education, and repealing conflicting laws.

Also:

H. 366. Regulating the compensation of registrars of Dale County, and providing for payment of additional compensation by the county.

Also:

H. 367. To alter, rearrange and extend the boundary lines and corporate limits of the City of Ozark, Dale County, so as to annex certain territory to the city.

Also:

H. 627. Relating to counties having populations of not less than 31,000 nor more than 32,000; fixing the compensation and providing an expense allowance for the county governing body; and to validate actual expenses heretofore paid for travel and other expenses incurred in the performance of duties outside the county.

Also:

H. 692. Relating to the public school funds of Limestone County; authorizing the board of education to budget and expend funds for the office of the county superintendent of education, and to regulate the salary, expenses and allowances of the superintendent; providing for the payment of monthly expense allowances to members of the board of education from such funds.

Also:

H. 642. Relating to counties having a population of not less than 13,700 nor more than 14,300; increasing the salary of the deputy solicitor in such counties.

Also:

H. 626. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the City of Ozark and in the territory of Dale County exclusive of Ozark.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 730. To alter, rearrange, redefine, and extend the boundary lines and corporate limits of the Town of Camp Hill, in Tallapoosa County, Alabama.

Also:

H. 572. Relating to Tallapoosa County; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act and the collection and use of the proceeds of the tax; prescribing penalties for violations.

Also:

H. 654. To provide that the Governing Body of any City or town in any county in the State of Alabama having a population, according to the last or any future Federal Census, in excess of 300,000 inhabitants and less than 600,000 inhabitants may, by resolution or ordinance, create the position of Assistant City Attorney on a full time basis, and designate the position to be that of the Senior Assistant City Attorney, or Principal Attorney, or other such appropriate title; and may provide by the same resolution or ordinance that any person presently holding such position in the municipal government shall be immediately placed upon the employment roster of any countrywide Civil Service or merit system of such county, without examination and with-

out any decrease in the salary of such person, and such position shall thereafter remain under the provisions of any such countrywide Civil Service or merit system.

Also:

H. 286. To alter, rearrange and extend the boundary lines and corporate limits of the City of Prichard in Mobile County.

Also:

H. 737. To provide for the expenses of members of the Boards of Educations in counties having a population of not less than 14,500 nor more than 14,900 according to the last federal decennial census and to limit such payment to $50.00 per month.

Also:

H. 738. To provide for additional expenses for additional travel for the chairmen and members of the County Boards of Revenue or other County Governing Bodies in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to limit such additional expense payments to $50.00 per month to the Chairman of such county governing body and to $100.00 per month to the members thereof, and to provide an expiration date for this Act: and to repeal all laws in conflict herewith.

Also:

H. 739. To further provide for the expenses of the County Solicitor in counties having a population of not less than 21,800 nor more than 21,850, according to the last or any subsequent federal decennial census, and to limit such payment to one hundred dollars ($100) per month for travel required.

Also:

H. 740. To provide for additional expenses of Chief Deputy Sheriffs in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to limit such additional payments for expenses to $100 per month and to provide an expiration date for this Act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions and Senate Bills delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

S.J.R. 1 Delivered to the Governor June 12, 1969, at 12:10 P.M.
S.J.R. 2 Delivered to the Governor June 12, 1969, at 12:10 P.M.
S.J.R. 3 Delivered to the Governor June 12, 1969, at 12:10 P.M.
S.J.R. 4 Delivered to the Governor June 12, 1969, at 12:10 P.M.
S.J.R. 5 Delivered to the Governor June 12, 1969, at 12:10 P.M.
S.J.R. 6 Delivered to the Governor June 12, 1969, at 12:10 P.M.
S.J.R. 13 Delivered to the Governor June 12, 1969, at 12:10 P.M.
S.J.R. 14 Delivered to the Governor June 12, 1969, at 12:10 P.M.
S.J.R. 15 Delivered to the Governor June 12, 1969, at 12:10 P.M.
S.B. 51 Delivered to the Governor June 12, 1969, at 12:10 P.M.
S.B. 52 Delivered to the Governor June 12, 1969, at 12:10 P.M.
S.B. 53 Delivered to the Governor June 12, 1969, at 12:10 P.M.
S.J.R. 8 Delivered to the Governor June 19, 1969, at 2:25 P.M.
S.J.R. 22 Delivered to the Governor June 19, 1969, at 2:25 P.M.
S.J.R. 9 Delivered to the Governor June 19, 1969, at 2:25 P.M.
S.J.R. 10 Delivered to the Governor June 19, 1969, at 2:25 P.M.
S.B. 116 Delivered to the Governor June 19, 1969, at 2:25 P.M.
S.B. 275 Delivered to the Secretary of State June 19, 1969, at 2:28 P.M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 4:05 P.M., on motion of Mr. McCarley, pending further consideration of the Bill, S.B. 82, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, July 8, 1969, at 1 o'clock P.M.

Yeas 16; Nays 14.

Yeas:

Messrs.:	Givhan	Lindsey	O'Bannon	
Bailes	Hawkins	McCarley	Oden	
Childs	Jackson	McDermott	Stone	
Cooper	Leonard	Morrow	Vacca	
Gilmore				—16

Nays:

Messrs.:	Dominick	Harris	Radney	
Albea	Folsom	Lolley	Skidmore	
Branyon	Giles	Nabors	Torbert	
Clark	Goodwyn	Pierce		—14

SIXTEENTH LEGISLATIVE DAY

TUESDAY, JULY 8, 1969

The Senate met pursuant to adjournment, President Pro Tempore Goodwyn presiding.

PRAYER

The Session was opened with prayer by the Reverend W. H. Swearingen, Pastor, Friendship Baptist Church, Grady, Alabama.

ROLL CALL

Present:

Messrs.:	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	Lolley	Radney	
Branyon	Gilmore	McCarley	Skidmore	
Carr	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jackson	Oden		—34

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fifteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Fifteenth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Mr. Adams for today.

RESOLUTIONS

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 35. WHEREAS, Senator Lister Hill, recently retired from long years of service to his state and nation in the United States Senate, has graciously accepted the invitation to address a joint session of the Legislature of Alabama under the terms of H. J. R. 26; now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That both houses of the Legislature assemble in joint session in the Hall of the House of Representatives at 1:30 P.M. today, July 8, 1969, for the purpose of hearing the address of Senator Lister Hill.

BE IT FURTHER RESOLVED that a committee of three members of the Senate, to be named by the Presiding Officer of the Senate, and three members of the House, to be named by the Speaker of the House, be appointed to escort Senator Hill to the House Chamber.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Cooper, Pierce and Harris.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 303. To amend Act No. 403 adopted at the 1967 Regular Session of the Legislature of Alabama relating to the establishment in the City of Montgomery of a college or branch of Auburn University and the issuance of bonds therefor by Alabama Public School and College Authority so as to provide that the said college or branch may be located in either or both the said city and in its police jurisdiction, and that the net proceeds from the sale of the bonds authorized in the said Act No. 403 may be used for the acquisition as well as the construction and equipment of physical facilities, so as to eliminate from the said act the provisions permitting the use of a portion of the proceeds from the said bonds for support and maintenance of the said college or branch, so as to clarify the provisions of the said act which have the effect of incorporating therein by reference Act No. 243 adopted at the First Special Session of 1965 of the Legislature, and so as to make the said incorporation by reference applicable to the said Act No. 243 as amended by an act adopted at the 1969 Regular Session of the Legislature.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been pub-

licly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Harris:

S. B. 594. To amend Act No. 402, S. 217, of the Regular Session of 1945 (Gen. Acts 1945, p. 620), an Act relating to aeronautics, providing for the promotion, encouragement, development and regulation thereof within this State and creating the State Aeronautics Commission, so as to regulate further procedure for leasing state-owned airports by requiring certain of such leases to be made under the Competitive Bid Law (Act No. 343, Acts 1957, p. 452), as amended.

Committee on Aviation and Traffic.

By Messrs. Folsom, Lolley and Vacca:

S. B. 595. To amend further "The Alabama G.I. and Dependents' Educational Benefit Act," Act No. 47, H. 29, approved May 24, 1951 (Acts of Alabama 1951, p. 259); in relation to the percent of disability of the veteran required for benefits to be accorded to his children, wife and widow under this Act.

Committee on Finance and Taxation.

By Mr. Carr:

S. B. 596. To provide for the compensation of the register of the circuit court of any county having a population of not less than 47,000 nor more than 49,000, according to the last or any subsequent federal decennial census; to repeal conflicting general, local or special laws.

Committee on Local Legislation No. 1.

By Messrs. Branyon, Givhan, Giles and Torbert:

S. B. 597. To further amend Chapter 7 of Title 2 of the Code of Alabama of 1940 by amending Sections 672, 674, 675, 676 and 677 relating to requirements for persons performing professional work or services pertaining to entomological, pathological, horticultural, floricultural, and tree surgery work; to define such work; to prescribe special requirements for structural pest control work including the annual permit, bond, insurance, training, experience and other requirements; prescribing the powers and duties of the Commissioner of Agriculture and Industries for administration and enforcement of said Chapter 7; and prescribing penalties for violations.

Committee on Agriculture.

By Mr. Skidmore:

S. 598. To amend Act No. 177, H. 315, of the Regular Session of 1947 (Gen. Acts, 1947, p. 62), which provides for the taxing as a part of the cost in certain cases of a mileage charge for the sheriff for executing the writ of arrest or other process and excepts certain counties, classified by population, from the operation of such Act; amending the title and Section 4 of such Act in relation to the classification of the counties excepted.

Committee on Judiciary.

By Mr. Skidmore:

S. 599. To repeal Act No. 588, S. 52 of the Regular Session of 1963 (Acts 1963, v. 2, p. 1285), entitled "An Act to prevent nepotism in state service, prohibiting any officer or employee of the state or state agencies from appointing persons related to him to any office or position of profit with the state or any agency thereof, and prescribing penalties."

Committee on Judiciary.

By Mr. Skidmore:

S. 600. To amend Act No. 647, H. 437 of the Regular Session of 1959 (Acts, 1959, p. 1562) which creates judgeship number three in the Sixth Judicial Circuit and provides that circuit judge number three shall be ex-officio judge of all courts in such circuit as to juvenile and domestic relations matters, cases, hearings and proceedings and shall have exclusive jurisdiction thereof, amending such act in order to provide for appointing a judge for such matters, cases, hearings or proceedings when circuit judge number three is absent or for any reason incompetent to sit for such matter, case, hearing or proceeding or when the public welfare will be served by his not sitting therein.

Committee on Judiciary.

By Messrs. Radney and McCarley:

S. 601. To provide for an expense allowance for each of the Circuit Judges of all Judicial Circuits in this State composed of three (3) Counties, with two (2) Circuit Judges, and having a total population of not less than 70,000 or more than 79,999 according to the last or any subsequent Federal decennial census; and providing for the payment of such expense allowance out of the General Funds of the counties composing such Judicial Circuit.

Committee on Local Legislation No. 1.

By Mr. Leonard:

S. 602. To permit the governing body of any county having a population of not less than 65,000 nor more than 95,000, or any municipality within such county to establish within the county, or within the municipality, ambulance service; to permit the county governing body to unite with any municipality within the county in the establishment of such service, making it common for the use of the county and of the municipality.

Committee on Local Legislation No. 1.

By Messrs. Cooper, Stone, Vacca, Radney, Leonard, Pierce, Hawkins, Giles, McCarley, Clark, Harris, Nabors, Torbert, Turner, Lindsey, Gilmore, Givhan, Childs, Branyon, O'Bannon and Folsom:

S. 603. To make it unlawful to tear down, deface, or change a detour sign, warning sign, barricade or fence or to drive around a barricade or fence and drive upon a section of road not officially opened until it be opened to general traffic by competent authority.

Committee on Public Buildings and Grounds.

By Mr. Pelham:

S. 604. To amend Section 4 of Act No. 175, S. B. 280, Regular Session, 1951 (Acts of Alabama, 1951, Volume I, p. 416, et seq), an act providing for the incorporation of municipal water, sewer, gas and electric boards and systems.

Committee on Judiciary.

By Mr. Pelham:

S. 605. To amend Sections 4 and 11 of Act No. 762, S. B. 515, Regular Session, 1951 (Acts of Alabama, 1951, Volume II, p. 1319 et seq), an act providing for and authorizing the incorporation of gas districts in the State of Alabama, so as to provide that a gas district may sell and convey a gas system or systems to utility companies or corporations regulated by the Alabama Public Service Commission, and likewise at foreclosure proceedings.

Committee on Judiciary.

By Mr. Pelham:

S. 606. To amend Title 37, Section 376, Code of Alabama, 1940, so as to define "electric light plant", "gas plant", and "waterworks plant".

Committee on Judiciary.

By Mr. Pelham:

S. 607. To amend Section 6 of Act No. 154, H. B. 308, Regular Session, 1947 (General Acts of Alabama, 1947, p. 52), an act authorizing water works boards to acquire, maintain and operate gas plants and systems, so as to authorize the sale of a municipal gas plant or system to utility companies or corporations regulated by the Alabama Public Service Commission.

Committee on Judiciary.

By Mr. Pelham:

S. 608. To amend Section 1 of Act No. 34, (H. 45) of the Special Session of 1969, approved May 14, 1969, entitled "An Act authorizing the county governing body of each of the several counties to levy, assess and collect franchise, excise and privilege license taxes in order to raise funds to be used for the public schools in the county," so as to define such taxes more particularly; to provide more fully for the collection of such taxes and to prescribe certain limitations on such taxes; and to authorize and provide for the calling and holding of elections relative to the levying of such taxes.

Committee on Finance and Taxation.

By Mr. Jackson:

S. 609. Authorizing the county governing body of any county of this state in which crude petroleum oil and natural gas are produced to levy and collect an additional tax from the producer thereof for county purposes; to provide that such tax shall be in addition to the state tax imposed by Act No. 1, H. 46, approved May 22nd, 1945 (Acts 1945, p. 1), as amended; and to limit the maximum rate of the tax.

Committee on Forestry and Conservation.

Also:

By Mr. Folsom:

S. 610. To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the Municipality of Cullman, in Cullman County, Alabama, are hereby altered, rearranged, and extended to include within the corporate limits of the City of Cullman, Alabama, in addition to the territory now embraced therein, the following described territory situated in Cullman County, Alabama, to-wit:

Beginning at the Northwest corner of the Northeast Quarter of Section 5, Ts. 10 S, Range 3 West; thence South 800 feet; thence East 600 feet to a point on existing Cullman Corporate limits; thence Northwest along the existing Cullman Corporate limits approximately 600 feet; thence Northeast along the existing corporate approximately 600 feet to a point on the present Cullman Corporate limits, being on North boundary of State Highway right-of-way; thence West along the State Highway right-of-way to point of intersection with the West boundary of the Southeast Quarter of Section 32, Ts. 9 S, Range 3 West; thence South along the West boundary of the said quarter section a distance of 90 feet, more or less to the Southwest corner of said quarter section, being also the point of beginning of the land herein described; and

The North half of the Northwest Quarter of Section 5, Ts. 10 S, Range 3 West; and

The South half of the Southwest Quarter of Section 32, Ts. 9 S, Range 3 West; and

Two hundred feet of even width off of and across the east side of the Southeast Quarter of the Southeast Quarter of Section 31, Ts. 9 S, Range 3 West; and

Two hundred feet of even width off of and across the East side of the Northeast Quarter of the Northeast Quarter of Section 6, Ts. 10 S, Range 3 West.

All being in Cullman County, Alabama.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 3, June 10, June 17, and June 24, all in the year 1969.

ROBERT BRYAN.

Sworn to and subscribed before me this the 24th day of June, 1969.

SUE EVANS,
Notary Public.

My commission expires May 21, 1972.

By Mr. Folsom:

S. 611. To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the Municipality of Cullman, in Cullman County, Alabama, are hereby altered, rearranged, and extended to include within the corporate limits of the City of Cullman, Alabama, in addition to the territory now embraced therein, the following described territory situated in Cullman County, Alabama, to-wit:

Tract 1: Southwest Quarter of Southeast Quarter of Section 34, Ts. 9 S, Range 3 West, which is also known as Lot Number 25 of F. J. Cramption Addition to City of Cullman.

Northwest quarter of Northeast quarter of Section 3, Ts. 10 S, Range 3 West, which is also known as Lot Number 26 of F. J. Cramption Addition to City of Cullman, Alabama.

Southwest Quarter of Northeast Quarter of Section 3, Ts 10 S, Range 3 West. A part of this forty has been plotted and designated as Tanglewood Subdivision to City of Cullman.

Northwest Quarter of Southeast Quarter of Section 3, Ts. 10 S, Range 3 West.

All being in Cullman County, State of Alabama.

Tract II: The Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of Section 17, Ts. 10 S, Range 3 West; and

Four Hundred feet of even width off of and across the East side of the Southwest Quarter of the Northwest Quarter of Section 17, Ts. 10 S, Range 3 West; and

All that part of Northwest Quarter of Southeast Quarter and of the Northeast Quarter of the Southwest Quarter, Section 17, Ts. 10 S, Range 3 West, lying and being North of the South R-O-W of Highway 278; and

A part of the Northwest Quarter of the Southwest Quarter of Section 17, Ts. 10 S, Range 3 West, being more particularly described as follows: Beginning at the Northeast Corner of said forty; thence West along the North forty line 400 feet; thence South 480 feet along a line parallel to and 400 feet West of the East forty line to a point on the South R-O-W of Highway 278; thence North and East along said R-O-W to a point on the East line of said forty; thence North along the East forty line back to the point of beginning; and

A part of the Southeast Quarter of Northeast Quarter of Section 17, Ts. 10 S, Range 3 West, being more particularly described as follows: Beginning at intersection of the North R-O-W of Highway 278 and the East line of said forty; thence North along the East forty line 25 feet; thence West along a line parallel to and 25 feet North of the North R-O-W of Highway 278 to a point on the West forty line; thence South along the West Forty line 25 feet to a point on the North R-O-W of Highway 278; thence East along the North R-O-W of Highway 278 back to the point of beginning; and also

All that part of the Northeast Quarter of the Southeast Quarter of Section 17, Ts. 10 S, Range 3 West, lying and being North of the South R-O-W of Highway 278.

All being in Cullman County, State of Alabama.

Tract III: A part of Southeast Quarter of Southeast Quarter and of Southwest Quarter of Southeast Quarter, Section 5, Ts. 10 S, Range 3 West, described as follows, to-wit: Beginning at Northeast corner of Southwest Quarter of Southeast Quarter, Section 5, Ts. 10 S, Range 3 West; thence running West along forty line 176 feet; thence turning an angle of 89° 54' and running South 550 feet to point on South line of Lake David Drive; thence East along South line of Lake David Drive 176 feet to point on East line of said forty; thence continuing East approximately 604 feet along South line of Lake David Drive into the Southeast Quarter of Southeast Quarter of Section 5, Ts. 10 S, Range 3 West and across Highway 157 to point on present corporate limits of City of Cullman being on the East R-O-W of Highway 157; thence North along said corporate limits and East R-O-W approximately 600 feet to a point on the North line of said forty; thence West along said North forty line approximately 375 feet back to point of beginning. Including within this description Lots 1 through 13 inclusive of the Ragsdale Subdivision as shown on plat thereof in the Probate Office of Cullman County, Alabama, and other lands.

All being in Cullman County, State of Alabama.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 25, June 1, June 8, June 15, all in the year 1969.

ROBERT BRYAN.

Sworn to and subscribed before me this the 24th day of June, 1969.

SUE EVANS,
Notary Public.

My commission expires May 21, 1972.

By Mr. Lolley:

S. 612. To create the Inferior Court of Pike County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Pike County, the County Court of Pike County, and all criminal and quasi criminal jurisdiction of Justices of the Peace in said county.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment made:

A BILL
TO BE ENTITLED
AN ACT

To create the Inferior Court of Pike County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Pike County, the County Court of Pike County, and all criminal and quasi criminal jurisdiction of Justices of the Peace in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby established the Inferior Court of Pike County with jurisdiction coextensive with the county of criminal and civil matters as hereinafter provided.

Section 2. (a) Except as provided in subsection (b), the court shall have jurisdiction of civil actions at law in which the matter or sum in controversy does not exceed One Thousand Dollars ($1,000.00) and, in addition, shall have jurisdiction in all actions, causes, matters, proceedings and cases (including paternity proceedings and actions for unlawful detainer and for the recovery of possession of land without limitation as to the value of the property involved,) heretofore, cognizable before the County Court, Juvenile Court and Justices of the Peace. It shall have authority to punish comptempts by fine not exceeding $50.00 or a term in the county jail not exceeding five days, or both. It may adopt and enforce rules and regulations relative to pleadings, procedure

and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and rules of the Supreme Court governing the practice and procedure of Inferior Courts.

(b) The court shall have and exercise preliminary jurisdiction in felony cases, but the court shall not have jurisdiction to try persons charged with felonies or actions or ejectment or of any matter or proceeding cognizable only in equity; provided, that nothing herein shall be construed to limit or restrict the court in the exercise of the jurisdiction of the Juvenile Court.

(c) No criminal prosecution shall be commenced in such court except by warrant upon sworn complaint issued by the clerk or his deputy or a magistrate (including a Justice of the Peace), or public official of Pike County authorized to issue warrants of arrest.

(d) The provisions of Chapter 7 of Title 13 of the Code of Alabama as the same may from time to time be amended, shall apply in all matters in which the court exercises the jurisdiction of the Juvenile Court.

(e) Appeals may be taken from final judgments or final orders of the court as follows: In criminal cases the appeal lies to the Circuit Court of Pike County and shall be governed by the provisions of Section 349 of Title 13, Code of Alabama. An appeal from judgments or orders made by the court in the exercise of jurisdiction of the Juvenile Court lies to the Circuit Court of Pike County and shall be governed by the provisions of Sections 362, 371 and 372 of Title 13, and Sections 95, 96 and 97 of Title 34, Code of Alabama. In civil cases the appeal lies to the Circuit Court of Pike County, and shall be governed by the provisions of Article 6 of Chapter 8, Title 13, Code of Alabama. In all appeals to the Circuit Court trial shall be de novo.

(f) The County Court of Pike County and the Juvenile Court of Pike County are abolished. All criminal and quasi criminal jurisdiction of Justices of the Peace in Pike County is abolished except jurisdiction to issue search warrants and warrants of arrest returnable to the Inferior Court of Pike County.

(g) In any civil action pending in the Inferior Court of Pike County, if the defendant files a plea of set off or recoupment claiming an amount in excess of $1,000.00 or otherwise asserting a cause of action not within the jurisdiction of the court, the judge shall enter an order transferring the case to the Circuit Court of Pike County where the same shall proceed as if originally commenced therein.

(h) The Inferior Court of Pike County shall be a court not of record and the judge shall not be prohibited from engaging in the practice of law.

Section 3. (a) The judge of the Inferior Court of Pike County shall be appointed by the Court of County Commissioners of Pike County, to hold office until September 30, 1970; his successors shall be appointed for terms of four years each beginning October 1, 1970 and every four years thereafter, by resolution of the Court of County Commissioners not less than thirty nor more than sixty days prior to the expiration of the term of the incumbent judge. No person shall be eligible to appointment as Judge of the Inferior Court of Pike County who is not learned in the law and a qualified elector of Pike County. The judge, shall, before entering upon the discharge of the duties of his office, take the oath prescribed by Section 279 of the Constitution of Alabama He may be removed from office for any cause enurmerated in Section 173 of the Constitution. Any vacancy occurring in the office of judge shall be filled by appointment of the Court of County Commissioners of Pike County, such appointment to be for the unexpired term.

Section 4. (a) The judge shall have authority to: (1) grant writs of habeas corpus, certiorari, supersedeas, quo warranto, mandamus, and all other remedial and original writs which are granted by the judges of Circuit Courts at law; (2) administer oaths and take acknowledgments; (3) issue search warrants; (4) exercise, within the limits of the jurisdiction conferred by this Act, such other powers and authority as may now or hereafter be conferred by law upon judges of courts of like jurisdiction.

(b) The judge shall be provide, at the expense of the County, with such office supplies, stationary, stamps, and other materials as may be necessary for the transaction of the business of the court.

(c) In the event the judge is disqualified or unable to act a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the Code of Alabama.

(d) The judge shall receive an annual salary of Four Thusand, Eight Hundred Dollars (4,800.00), payable out of the general fund of the county in equal monthly installments.

Section 5. (a) The court shall be open at all times for the transaction of business. Regular sessions shall be held on the first Tuesday in each month at the Courthouse for the trial of criminal cases, and on the first Thursday in each month at the Court House for the trial of civil actions at law. Special sessions may be held at such times as the judge shall designate. Sessions may continue so long as may be necessary for the court to complete its business. The judge shall be available at all times to receive guilty pleas, assess fines and enter such orders and judgments as may be appropriate.

(b) The sheriff shall attend the regular criminal sessions of the court in person or by deputy and shall attend other sessions when requested by the judge and shall receive the same compensation therefor for which he is now allowed for attending sessions of the County Court. He shall promptly execute all writs and processes of the court and perform such duties as may be directed by the Judge.

Section 6. In civil actions at law, the defendant shall be required to appear and plead, answer or demur, within twenty days from the service of process.

Section 7. All cases in the Inferior Court of Pike County shall be tried and all issues of fact decided by the judge without the intervention of a jury.

Section 8. In civil actions at law it shall be the duty of the clerk to tax, collect and remit the same costs and fees of the sheriff and witnesses and other court costs, including trial tax, as now or hereafter allowed by law to be taxed and collected in such actions in the circuit court, except that there shall be taxed as clerk's fees the sum of $8.00 in each case, such fee to include services in garnishments or judgments in such cases; and in all criminal cases the same fees and commissions for the services of the clerk, sheriff, solicitor and witnesses and other court costs, including trial tax, as now or hereafter allowed by law to be taxed and collected in the county courts; provided, however, that in criminal cases involving violations of the Rules of the Road or statutes governing the operation of vehicles on public highways or game and fish laws, the clerk shall receive in lieu of all other fees the sum of $3.00 plus commissions, and, in such case, where the defendant pleads guilty, no solicitors fee and no trial tax other than fair trial tax

Section 9. The County Solicitor shall be taxed or collected.
tor or Deputy District Attorney shall prosecute for the State all criminal cases commenced in said court.

Section 10. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as provided by law with respect to judgments rendered by the circuit court.

Section 11. (a) The Clerk of the Circuit Court of Pike County shall be ex officio clerk and each Deputy Clerk of the Circuit Court of Pike County shall be ex officio a deputy clerk of the Inferior Court of Pike County. The clerk shall have authority to requisition at county expense such records, stationary, office supplies and equipment as may be necessary to conduct the court's business. He shall keep a seal, which shall be the official seal adopted by the court.

(b) It shall be the duty of the clerk to keep all the books papers, files, and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk shall have power and authority: (1) to administer oaths and take acknowledgments and affidavits; (2) to sign and issue all processes issuing out of the court, including warrants, summonses, subpoenas, writs, executions, commitments, and releases; (3) to fix bail and approve bonds; (4) to enter all judgments, orders and decrees of the court; (5) to certify all appeals; (6) to issue certificates of judgment, and (7) to exercise all power and authority which are now or may be hereafter conferred on clerks of circuit courts.

(d) The clerk shall attend all sessions of the court in person or by deputy.

Section 12. All cases and actions pending in the County Court of Pike County and in the Juvenile Court of Pike County on the effective date of this Act shall be transferred to the court herein created and shall proceed as though begun therein. The Inferior Court of Pike County shall have the same jurisdiction to enforce judgments heretofore rendered by the County Court of Pike County and the juvenile Court of Pike County and all judgments in criminal cases heretofore rendered by Justices of the Peace in Pike County in all respect as though the judgments had been rendered by it. This act shall not apply to nor affect any criminal or quasi criminal case pending in any Justice of the Peace Court of the county on the effective date hereof.

Section 13. The provisions of this Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 14. All laws in conflict with this Act are to the extent of the conflict, repealed.

Section 15. This act shall take effect on the first day of the month next following the date of its enactment.

STATE OF ALABAMA
PIKE COUNTY

Before me, Maurine Bryan, A Notary Public in and for said State and County, personally appeared Robert L. Winebarger, who being sworn deposes and says on oath, that he is the General Manager of The Troy Messenger, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice A Bill—Establish inferior court was published in said newspaper 4 times, the same appearing in the issues dated: June 6, 13, 20, 27.

ROBERT L. WINEBARGER,
Gen. Mgr.

Sworn to and subscribed before me this the 7 day of July, 1969.

MAURINE BRYAN,
Notary Public, Pike County, Ala.

By Mr. Bailes:

S. 613. To create and establish a division of housing and conservation under the supervision and control of the state planning and industrial development board; to authorize such division to serve as a consultative, training and advisory agency to municipalities in matters relative to housing, housing code enforcement; urban renewal, and related activities; and to make an appropriation therefor.

Committee on Finance and Taxation.

By Messrs. Engel and McDermott:

S. 614. To amend Section 3 of Act No. 584, H. B. 795, Regular Session, 1963, (Acts 1963, p. 1278 et seq), an act relating to the establishment and operation of Regional Planning Commissions in the State of Alabama.

Committee on Judiciary.

By Messrs. Engel and McDermott:

S. 615. To amend further Section 187 of Title 13, Code of Alabama 1940 in relation to the appointment and compensation of Bailiffs in certain Counties classified according to population.

Committee on Local Legislation No. 1.

By Messrs. Engel, McDermott and Pelham:

S. 616. To amend Code of Alabama 1940, Title 45, Section 236, to remove the age limitation for commitment to Partlow State School and Hospital.

Committee on Judiciary.

By Mr. O'Bannon:

S. 617. To provide for and regulate liens for work, labor and materials for installing paving, curbs, gutters, storm sewers, sanitary sewers and other improvements in or on public streets, avenues, alleys and other public ways.

Committee on Judiciary.

By Messrs. Goodwyn and Pierce:

S. 618. To amend Section 8 of Act No. 432, H. 937 approved August 7, 1961 to regulate the office of Sheriff in counties of more than 150,000 population and less than 300,000 population according to the last Federal census or any subsequent Federal census; to authorize the Sheriff to appoint an attorney to advise or represent him; to fix the compensation of said attorney to be paid out of the general fund of the County by the Board of Revenue or like governing body; and providing when this Act shall become effective.

Committee on Local Legislation No. 1.

By Mr. Pierce:

S. 619. To make an appropriation out of the general fund of the state treasury for the relief of the estate of Charles M. Pinkston.

Committee on Finance and Taxation.

By Messrs. Branyon and Givhan:

S. 620. Relating to taxation; further defining terms used in administering state sales and use tax laws with respect to commercial fish feed.

Committee on Finance and Taxation.

By Messrs. Harris and Torbert:

S. 621. Relating to plants and plant products: To further amend Article 28 of Title 2 of the Code of Alabama of 1940 relating to insect pests and diseases injurious to plants and plant products by amending Section 451 defining words and terms used in said Article; to amend Sections 452, as amended, 453, and 455, as amended, of said Article which said Sections relate to inspection certificate requirements and fees for nurseries and dealers in nursery stock, registration requirements and fees for agents of nurserymen; requirements for official tags for nursery stock; and to prescribe certain administrative and enforcement duties and authority of the Commissioner of Agriculture and Industries.

Committee on Agriculture.

By Mr. Skidmore:

S. 622. To make an appropriation from the state treasury payable to the Glenn Falls Insurance Company for the relief of Sergeant E. W. Pierce of the highway patrol.

Committee on Finance and Taxation.

By Mr. Skidmore:

S. 623. Relating to counties having a population of not less than 100,000, nor more than 115,000; fixing the compensation of certain officers in such counties.

Committee on Local Legislation No. 1.

By Mr. Skidmore:

S. 624. Relating to counties having a population of not less than 100,000 nor more than 115,000; providing expense allowances for certain officers in such counties.

Committee on Local Legislation No. 1.

By Mr. Skidmore:

S. 625. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 100,000 nor more than 115,000.

Committee on Local Legislation No. 1.

By Mr. Goodwyn:

S. 626. Providing for privileged communications between clergymen and ministers and their communicants or confessors.

Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has directed me to request that the Senate return to the House for further consideration Senate Bill 186.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Stone, the Senate acceded to the request of the House for the return of the Bill, S B. 186, and said Bill was returned to the House.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. O'Bannon (with notice and proof):

S. 593. To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Colbert County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collection of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel. To provide further for the distribution of fines and forfeitures in certain cases.

By Messrs. Bank, Culver and Brown:

H. 199. To amend Act No. 606, H. 737, Regular Session 1967, an act regulating the practice of barbering and the operation of barber shops and barber schools in counties having populations of not less than 100,000 nor more than 115,000 (Acts 1967, v. 2, p. 1395 et seq.).

By Mr. Shumate et al:

H. 809. Regulating further nighttime hunting in certain counties of the state classified on a population basis; providing for the taking, catching or killing of racoons and o'possums during nighttime hours, but only under certain conditions and with a certain kind of gun and ammunition in such counties, when authorized by a rule of the director of conservation; and providing penalties.

By Mr. Jackson:

S. 582. To propose a constitutional amendment relative to levying additional taxes in Baldwin County for public school purposes.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Agee and McCorquodale:

H. 763. Relating to counties having populations of not less than 15,300 nor more than 15,400, according to the most recent federal decennial census; to provide for the disposition of guns, nets, and other equipment taken or found by police officers in game and fish cases in such counties.

By Mr. Pearson:

H. 769. To fix expense allowances of Courts of County Commissioners, Boards of Revenue or like governing bodies of all Counties having a population of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census by providing for expenses for travel out of the county. This Act is in addition to all existing allowances.

By Messrs. Merrill and Lybrand:

H. 773. Relating to judicial procedure in all counties having populations of not less than 76,000 nor more than 96,000: To authorize and provide for the judge, in his discretion, to excuse veniremen summoned for the week in which a person or persons indicted for a capital felony is to be tried, prior to the call of the case and without the defendant or his attorney being present.

By Messrs. Malone, Wright and Owens (W.E.):

H. 787. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the territory of Etowah County exclusive of Gadsden and Attalla.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Malone, Wright and Owens (W.E.):

H. 786. To repeal Act No. 157, S. 276 of the Regular Session of 1965 (Acts, 1965, Regular Session, p. 227), entitled "An Act further regulating commercial fishing in public waters in all counties having populations of not less than 96,000 nor more than 106,000, so as to prohibit the use of gill or trammel nets or hoop or fyke nets in commercial fishing operations in such counties."

JOINT SESSION

The hour of 1:30 P.M. having arrived, on motion of Mr. Cooper and in accordance with Joint Resolution heretofore adopted, the Senate repaired to the Hall of the House of Representatives for the purpose of hearing an address by the Honorable Lister Hill, former Senator from Alabama.

The Joint Session was called to order by the President and Presiding Officer of the Senate. A quorum of the Legislature was present.

Thereupon, the Honorable Lister Hill was escorted to the Chair and delivered his address to the Legislature of Alabama.

The purpose of the Joint Session having been accomplished, the Senate returned to its chamber and was called to order by President Pro Tempore Goodwyn.

ROLL CALL

Present:

Messrs.:	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	Lolley	Radney	
Branyon	Gilmore	McCarley	Skidmore	
Carr	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jackson	Oden		—34

RESOLUTIONS

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 36. WHEREAS, the Alabama Division of Standard Oil Company, under the guidance of Mr. J. C. Barry, Division Sales Manager, has produced a film entitled "Scenic Alabama, Heart of Dixie", with the intention of attracting both industry and tourism to Alabama; and

WHEREAS, the Legislature commends worthy efforts such as this to tell the story of Alabama which will attract the attention it so justly deserves; now, therefore,

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that both houses of the Legislature recess at 1:30 P. M. on July 15 for the purpose of viewing the film, "Scenic Alabama, Heart of Dixie", in the Highway Department Auditorium.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 82. To be known as the Alabama Consumer Credit Code, relating to certain consumer and other credit transactions and constituting the uniform consumer credit code; consolidating and revising certain aspects of the law relating to consumer and other loans, consumer and other sales of goods, services and interests in land, and consumer leases; revising the law relating to usury; regulating certain practices relating to insurance in consumer credit transactions; providing for administrative regulation of certain consumer credit transactions; making uniform the law with respect thereto; and repealing inconsistent legislation, including the following laws and parts of law:

Code of Alabama 1940: Title 9, § § 61, 65, and 66; Title 28, § 296; and Title 51, § 495 as amended by Act No. 680, General Acts of Alabama, Regular Session (1953); and Act No. 374 General Acts of Alabama, Regular Session 1959, known as the Alabama Small Loan Act; and to amend the following laws:

Code of Alabama 1940: Title 9, § 60; and Title 5, § 120.
as amended.

The question was on the amendment offered by Mr. Dominick, which said amendment is set out at length in the Journal of the Senate for the Fourteenth Legislative Day.

MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee on Conference on the House amendment to the Bill:

S. 182. To provide for and regulate the payment of expenses of state officers and employees and persons traveling on official business for the State or any of its departments, institutions, boards, bureaus, commissions, councils, committees, and other like agencies.

And the Speaker of the House has appointed as a Committee on the part of the House Messrs. Cameron, Merrill and Springer.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 293. Relating to counties having a population of not less than 33,000 nor more than 35,000; to authorize the boards of registrars in such counties to meet an additional ten days per year and to be paid a travel allowance.

Also:

S. 376. To regulate the compensation of jurors in counties having populations of not less than 33,000 nor more than 35,000.

Also:

S. 377. To amend Act No. 235, S. 97, Regular Session 1967, an act providing for the appointment and compensation of deputies and assistants of the sheriff of Barbour County, so as to make further provisions respecting the compensation and appointment of jailers.

Also:

S. 379. Relating to the Office of the Sheriff of Houston County; providing further for the appointment, number, term, duties and compensation of the deputies of the Sheriff, and repealing conflicting laws, including Act No. 163, H. 765, Regular Session 1965 (Approved July 23, 1965).

Also:

S. 409. Relating to counties having a population of not less than 15,500 nor more than 16,300; increasing the salary of the deputy solicitor in such counties.

Also:

S. 422. Relating to counties having a population of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census; increasing the salary of the Judge of the Inferior Court for such counties.

Also:

S. 424. Relating to Elmore County: abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

Also:

S. 431. To alter, rearrange and extend the boundaries and corporate limits of the Town of Weaver, Calhoun County, Alabama, so as to annex certain territory to the Town.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 35. Relative to joint session of the two Houses to hear an address by the Honorable Lister Hill.

And the Speaker of the House has appointed as a Committee on part of the House Messrs. House, Springer and Harris.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 36. Relative to film entitled "Scenic Alabama, Heart of Dixie" produced by Mr. J. C. Barry.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF S. B. 82

The Senate proceeded to further consideration of the Bill, S. B. 82, as amended. The question was on the amendment offered by Mr. Dominick.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 741. To provide for the expenses of members of the Boards of Education in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to limit such payment to $50.00 per month.

Also:

H. 742. To provide for certain court reporters in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to provide for their appointment and compensation.

Also:

H. 743. To provide for the expense of judges of certain courts in counties with population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to provide for an effective date and an expiration date for this Act: and to repeal all laws in conflict therewith.

Also:

H. 13. To amend Act No. 239, H. 220, Regular Session 1967 (Acts of 1967, p. 615), which creates a board of trustees to manage and control Jacksonville State University, and divests the state department of education of jurisdiction, power and authority with respect to the supervision, management and control of such university, so as to provide further for the annual meeting of said board of trustees.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 433. Relating to counties having a population of not less than 76,000 and not more than 96,000 according to the last and any subsequent federal decennial census; to authorize county governing bodies to provide clerk hire allowances for the offices of the county solicitor or deputy district attorney.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has reconsidered and has amended as therein shown and as amended has again passed the following Senate bill and returns same herewith to the Senate:

S. 186. To propose an amendment to the Constitution of Alabama to authorize the state to engage in works of internal improvement in connection with (1) the construction and maintenance of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary and (2) to authorize the state to issue in connection therewith interest-bearing general obligation bonds of the state in principal amount not exceeding $10,000,000; and (3) to authorize the state to establish a public corporation with the powers and resources necessary to undertake obligations authorized by this amendment to be undertaken by the state.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Stone, the Senate concurred in and adopted the following House amendment to the Bill, S B 186, the title of which is set out in the foregoing Message from the House, to-wit:

SUBSTITUTE FOR S.B. 186

A BILL
TO BE ENTITLED
AN ACT

To propose an amendment to the Constitution of Alabama to authorize the state to engage in works of internal improvement in connection with (1) the construction and maintenance of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary and (2) to authorize the state to issue in connection therewith interest-bearing general obligation bonds of the state in principal amount not exceeding $10,000,000: and (3) to authorize the state to establish a public corporation with the powers and resources necessary to undertake obligations authorized by this amendment to be undertaken by the state.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama is proposed:

PROPOSED AMENDMENT

"Any provision of the Constitution of Alabama or amendments thereto to the contrary notwithstanding, the legislature may by appropriate laws authorize the state to engage in works of internal improvement by fulfilling the requirements of local contribution, participation and cooperation now or hereafter established by the United States in connection with the construction and maintenance of a navigable waterway (herein called "the waterway") between Montgomery and Gadsden and to the Alabama-Georgia boundary.

The legislature may by appropriate laws authorize the state to become indebted, and in evidence of such indebtedness, to sell and issue its interest-bearing bonds, in an aggregate principal amount not exceeding $10,000,000, for the purpose of enabling the state to discharge obligations at any time authorized by the legislature to be undertaken in connection with the waterway project; provided, that the expenses incurred in connection with the sale and issuance of the bonds may also be paid from the proceeds thereof. Bonds evidencing the herein provided for indebtedness may be issued as direct general obligations of the state, and the state may pledge its full faith and credit to the prompt payment of the principal of the bonds and the interest thereon. The herein provided for indebtedness shall not be construed to prohibit or limit appropriations from the general fund of the state which from time to time may be made for the purpose of enabling the state to discharge obligations at any time authorized by the legislature to be undertaken in connection with the waterway project.

The legislature may by appropriate laws establish a public corporation and may confer upon it, in addition to all other necessary powers, full power to undertake the obligations that the state is permitted under the foregoing provisions of this amendment to undertake in connection with the waterway project. The legislature may from time to time appropriate money from the general fund of the state to be expended by such public corporation and may also authorize the herein provided for general obligation bonds of the state to be sold from time to time under the supervision of such public corporation; provided, that all moneys received by such public corporation from the state, whether as appropriations from the state's general fund or as proceeds of the sale of the state's bonds, shall be expended, except for reasonable administrative expenses, in discharging obligations that the state is permitted under the foregoing provisions of this amendment to undertake in connection with the waterway project, and shall have directed such public corporation to undertake in its stead.

Nothing herein shall authorize the legislature to establish any such public corporation to acquire by purchase, license, lease, condemnation or otherwise a hydroelectric project (or any part thereof) heretofore or hereafter licensed by the Federal Power Commission under the Federal Power Act of June 10, 1920, Public Law No. 280, 66th Congress, 2nd Session, and amendments thereto, or any such project (or any part thereof) otherwise authorized by act of Congress.

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the legislature. The election shall be held

in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940, as amended.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each court house and post office."

Yeas 27; Nays 1.

Yeas:

Messrs.:	Dominick	Lindsey	Pelham
Albea	Folsom	Lolley	Pierce
Bailes	Gilmore	McCarley	Radney
Branyon	Givhan	McDermott	Skidmore
Childs	Goodwyn	Morrow	Stone
Clark	Jackson	Nabors	Torbert
Cooper	Leonard	Oden	Turner

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Nay: Mr. Harris —1

FURTHER CONSIDERATION OF S. B. 82

The Senate proceeded to further consideration of the Bill, S B 82, as amended. The question was on the amendment offered by Mr. Dominick, and said amendment to the Bill, S B 82, as amended, was then adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Dominick	Lolley	Radney
Albea	Folsom	McCarley	Skidmore
Bailes	Givhan	McDermott	Stone
Branyon	Goodwyn	Morrow	Torbert
Childs	Harris	Pelham	Turner
Clark	Leonard	Pierce	Vacca

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Nays: —0

Mr. Pelham offered the following amendment to the Bill, S B 82, as amended, to-wit:

AMENDMENT TO S. B. 82

Amend Senate Bill 82 as follows:

Delete Sec. 5.202(7), and renumber Sec. 5.202(8).

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McCorquodale, Mays, Hardin, Turnham, Agee, Brassell, Cook (Coffee), Steagall, Brannan, Foshee and Melton:

H. 673. To create a state forestry commission; to provide for the appointment of the commission members and to specify their authority and duties; to provide for the appointment of a state forester and assistant state forester and to specify their authority and duties; to provide for the transfer of all monies, records, and physical properties, both real and personal, of the Forestry Division of the Department of Conservation to the Alabama Forestry Commission; to provide for the staff and personnel of the Forestry Commission; to provide for the jurisdiction and the authority for the commission over state forests and other lands; to provide for the compensation and expenses of the commission members and the state forester and assistant state forester; to provide the rule-making power of the commission; to provide for a fund to be known as the Alabama Forestry Commission Fund; and repeal all laws or parts of laws in conflict with the provision of this Act.

Also:

By Mr. Merrill:

H. 843. To repeal Act No. 245, H. 163, page 361, 1965 1st Special Session, Volume 1, approved May 5, 1965, which relates to taxation, providing exemptions from the State Sales Tax Law and the State Use Tax Law for fabricated steel sections for any tunnel for highway vehicular traffic.

Also:

By Mr. Fite:

H. 396. Relating to the compensation of the State Superintendent of Education.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 673. To the Committee on Forestry and Conservation.

H. B. 843. To the Committee on Finance and Taxation.

H. B. 396. To the Committee on Public Buildings and Grounds.

MOTION TO ADJOURN LOST

At 5:45 P.M., Mr. O'Bannon moved that the Senate adjourn until Wednesday, July 9, 1969, at 12 o'clock Noon. Mr. Harris offered as a substitute motion that the Senate adjourn until Thursday, July 10, 1969, at 1 o'clock P.M., which motion was lost.

Yeas 4; Nays 23.

Yeas:

Messrs.:

Dominick	Harris	McDermott	Pelham

—4

Nays:

Messrs.:	Cooper	Lolley	Pierce	
Albea	Folsom	McCarley	Radney	
Bailes	Goodwyn	Morrow	Stone	
Branyon	Hawkins	Nabors	Torbert	
Carr	Leonard	O'Bannon	Turner	
Clark	Lindsey	Oden	Vacca	
				—23

The question recurred on the motion of Mr. O'Bannon that the Senate adjourn until Wednesday, July 9, 1969, at 12 o'clock Noon, which resulted in a tie vote, and therefore, said motion was lost.

Yeas 14; Nays 14.

Yeas:

Messrs.:	Cooper	Lindsey	Pelham	
Albea	Folsom	Nabors	Radney	
Bailes	Hawkins	O'Bannon	Stone	
Carr	Leonard	Oden		—14

Nays:

Messrs.:	Dominick	McCarley	Torbert	
Branyon	Goodwyn	McDermott	Turner	
Childs	Harris	Morrow	Vacca	
Clark	Lolley	Pierce		—14

FURTHER CONSIDERATION OF S. B. 82

The Senate proceeded to further consideration of the Bill, S B 82, as amended. The question was on the amendment offered by Mr. Pelham.

ADJOURNMENT

At 6:52 P.M., Mr. Cooper moved that the Senate adjourn until Wednesday, July 9, 1969, at 12 o'clock Noon. Mr. McDermott offered as a substitute motion that the Senate adjourn until Thursday, July 10, 1969, at 1 o'clock P.M., which motion was lost.

Yeas 6; Nays 20.

Yeas:

Messrs.:	Dominick	McCarley	Pelham	
Childs	Harris	McDermott		—6

Nays:

Messrs.:	Folsom	Lolley	Skidmore	
Albea	Giles	Morrow	Stone	
Bailes	Gilmore	Nabors	Torbert	
Branyon	Goodwyn	Oden	Turner	
Clark	Leonard	Pierce	Vacca	
Cooper				—20

The question recurred on the motion of Mr. Cooper, and at 6:55 P.M., pending further consideration of the Bill, S B 82, the Senate adjourned until Wednesday, July 9, 1969, at 12 o'clock Noon.

Yeas 14; Nays 12.

Yeas:

Messrs.:	Cooper	McCarley	Pelham	
Albea	Folsom	Morrow	Pierce	
Bailes	Leonard	Nabors	Skidmore	
Clark	Lolley	Oden		—14

Nays:

Messrs.:	Giles	Harris	Torbert	
Branyon	Gilmore	McDermott	Turner	
Childs	Givhan	Stone	Vacca	
Dominick				—12

SEVENTEENTH LEGISLATIVE DAY

WEDNESDAY, JULY 9, 1969

The Senate met pursuant to adjournment, President Pro Tempore Goodwyn Presiding.

PRAYER

The Session was opened with prayer by the Reverend J. Dun Gordy, Pastor, Robinson Springs Baptist Church, Robinson Springs, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Leonard	Pelham	
Adams	Folsom	Lindsey	Pierce	
Albea	Giles	Lolley	Radney	
Bailes	Gilmore	McCarley	Skidmore	
Branyon	Givhan	McDermott	Stone	
Carr	Goodwyn	Morrow	Torbert	
Childs	Harris	Nabors	Turner	
Clark	Hawkins	O'Bannon	Vacca	
Cooper	Jackson			—33

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Sixteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Sixteenth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. McDermott, leaves of absence were granted Messrs. Engel and Oden for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Skidmore and Torbert:

S. 627. To amend Section 5 of Act No. 926, approved 12 September 1951 (1951 Acts of Alabama, Act No. 926, page 1575) which Section pertains to an appropriation to make a contribution on behalf of the State of Alabama to the National Conference of Commissioners on Uniform State Laws.

Committee on Finance and Taxation.

By Mr. Radney:

S. 628. Relating to Tallapoosa County: To regulate further the compensation and expense allowances of members of the county governing body.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tallapoosa County: To regulate further the compensation and expense allowances of members of the county governing body.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the court of county commissioners, board of revenue or other like governing body of Tallapoosa County shall receive a salary of $500 per month and an expense and travel allowance of $300 per month. Such salary and expense allowance shall be in lieu of all fees and allowances, including mileage, heretofore allowed by law to such commissioners.

Section 2. Nothing in this Act shall be construed to affect the compensation of the judge of probate of Tallapoosa County.

Section 3. The provisions of Section 3 of Act No. 623, H. 1006 of the 1959 Regular Session (Acts, 1959, p. 1527) and all other laws or parts of laws in conflict herewith are hereby repealed.

Section 4. This Act shall become effective on the first day of the first month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Alexander City Outlook, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 12, June 19, June 26, and July 3, all in the year 1969.

J. C. HENDERSON.

Sworn to and subscribed before me July 3, 1969.

VONCILLE M. DEAN,
Notary Public.

My Commission Expires January 18, 1971.

By Mr. Radney:

S. 629. Relating to the office of the sheriff in Tallapoosa County; further regulating the salaries of deputies of the sheriff.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to the office of the sheriff in Tallapoosa County; further regulating the salaries of deputies of the sheriff.

Be It Enacted by the Legislature of Alabama:

Section 1. The salary of the chief deputy in Tallapoosa County shall be not less than $425 nor more than $525 per month, and the salaries of one additional deputy in Alexander City and all other deputy sheriffs now authorized by law shall be not less than $400 nor more than $500 per month. All such salaries shall be fixed at the discretion of the court of county commissioners, and shall be paid in the same manner and out of the same fund as now provided by law.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. Act. No. 42, H. 237 of the Regular Session of 1965 (Acts 1965, Regular Session, p. 59) and all other laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective on the first day of the first month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared J, C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Alexander City Outlook, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 12, June 19, June 26, and July 3, all in the year 1969.

J. C. HENDERSON.

Sworn to and subscribed before me July 3, 1969.

VONCILLE M. DEAN,
Notary Public.

My Commission Expires January 18, 1971.

By Mr. Radney:

S. 630. Relating to counties having a population of not less than 34,000 nor more than 35,500; requiring firearms transported in such counties to be cased.

Committee on Judiciary.

By Mr. Lolley:

S. 631. Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF GENEVA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

Be It Enacted by the Legislature of Alabama:

Section 1. The Geneva County Inferior Court established pursuant to Act No. 538, H. 1009, Regular Session 1939 (Local Acts 1939, p. 329) shall have, in addition to the jurisdiction now authoried by law, jurisdiction concurrently with the circuit court of matters, suits and actions of law in amounts of not more than $1,500.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CERTIFICATE OF PUBLICATION

STATE OF ALABAMA
GENEVA COUNTY

I, Orsen B. Spivey, Publisher of the Geneva County Reaper, a weekly newspaper published in Geneva, Geneva County, Ala.* do hereby certify that the advertisement attached hereto has been published in said newspaper for a period of four consecutive weeks, commencing June 13, 1969, and ending July 3, 1969, Witness my hand this 3 day of July, 1969.

ORSEN B. SPIVEY.

Sworn to and subscribed before me this 3 day of July, 1963.

MARY C. DAUGHTRY,
Notary Public.

By Messrs. Turner and Bailes:

S. 632. To amend Title 28, Section 296, Alabama Code, fixing interest rates on loans made by credit unions.

Committee on Public Buildings and Grounds.

By Mr. Turner:

S. 633. To fix the tenure of general officers of the Army and Air National Guard of the State of Alabama:

Committee on Constitution and Constitutional Revision and Amendments.

By Mr. Turner:

S. 634. To propose amendments to Sections 272 and 273, Article XV, Constitution of Alabama, pertaining to the organization of the state military forces; the administering of state military affairs; and the term or tenure of general officers of the state military forces.

Committee on Constitution and Constitutional Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Torbert:

S. 635. Providing for payment by housing authorities or redevelopment agencies, on appeal from condemnation proceedings instituted in counties with any urban renewal or other redevelopment plan or project of all reasonable costs of the proceedings in the appellate court, including a reasonable attorney's fee, except in certain instances, in all counties of this state with populations of not less than 49,500 nor more than 50,500.

Committee on Local Legislation No. 1.

By Mr. Torbert:

S. 636. To apply only in counties of this state having populations of not less than 49,500 nor more than 50,500; providing that in any condemnation proceeding instituted in connection with an urban renewal or other redevelopment plan or project, the commissions appointed pursuant to Code of

Alabama 1940, Title 19, Section 11, as amended, shall fix the value of any property sought to be acquired at no less than the value of such property as of the date of the announcement of the plan or project or slum, blight, or deterioration to be removed.

Committee on Local Legislation No. 1.

By Messrs. Goodwyn and Pierce:

S. 637. To limit the period in which an appeal may be taken to the Supreme Court from any action or proceeding to set aside, contest or question the validity of any bonds issued by the State of Alabama, or by any department, commission, board, public corporation, authority, or other agency or instrumentality thereof; to set the time for the filing of the transcript of such appeal in the Supreme Court and of appellant's and appellee's briefs therein, and to establish a procedure for the hearing of such appeals by the Supreme Court.

Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Skidmore:

S. 624. Relating to counties having a population of not less than 100,000 nor more than 115,000; providing expense allowances for certain officers in such counties.

By Mr. Skidmore:

S. 625. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 100,000 nor more than 115,000.

By Mr. Skidmore:

S. 623. Relating to counties having a population of not less than 100,000, nor more than 115,000; fixing the compensation of certain officers in such counties.

By Mr. Leonard:

S. 602. To permit the governing body of any county having a population of not less than 65,000 nor more than 95,000, or any municipality within such county to establish within the county, or within the municipality, ambulance service; to permit the county governing body to unite with any municipality within the county in the establishment of such service, making it common for the use of the county and of the municipality.

By Mr. Lolley (with notice and proof):

S. 612. To create the Inferior Court of Pike County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Pike County, the County Court of Pike County, and all criminal and quasi criminal jurisdiction of Justices of the Peace in said county.

By Messrs. Stembridge and Crawford (with notice and proof):

H. 699. To create and establish a Court of record with county wide limited jurisdiction of criminal cases and civil actions at law and in equity, to be called the Houston County Court; in lieu of, and to replace the Law and Equity Court of Houston County; to abolish the Law and Equity Court of Houston County; to provide for the jurisdiction of said Houston County Court and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished Court to the newly established Court, and to repeal Act No. 210, H. 479, Regular Session of the Legislature of Alabama of 1965 at Page 269, as amended, and all conflicting laws.

By Mr. Adams (with notice and proof):

S. 537. To create and establish a Court of record with county wide limited jurisdiction of criminal cases and civil actions at law and in equity, to be called the Houston County Court; in lieu of, and to replace the Law and Equity Court of Houston County; to abolish the Law and Equity Court of Houston County; to provide for the jurisdiction of said Houston County Court and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished Court to the newly established Court, and to repeal Act No. 210, H. 479, Regular Session of the Legislature of Alabama of 1965 at Page 269, as amended, and all conflicting laws.

By Mr. Folsom (with notice and proof):

S. 611. To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

By Mr. Folsom (with notice and proof):

S. 610. To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

By Messrs. Stembridge and Crawford:

H. 698. To amend Section 6 of Act No. 217, H. 275, approved August 1, 1961, (Acts of Legislature, Regular Session of 1961, Volume 1, pp. 244, et seq.), An Act "To provide for and prescribe the form of government of all cities having populations of not less than 30,000 nor more than 31,500."

By Mr. Carr:

S. 596. To provide for the compensation of the register of the circuit court of any county having a population of not less than 47,000 nor more than 49,000, according to the last or any subsequent federal decennial census; to repeal conflicting general, local or special laws.

By Messrs. Goodwyn and Pierce:

S. 618. To amend Section 8 of Act No. 432, H. 937 approved August 7, 1961 to regulate the Office of Sheriff in counties of more than 150,000 population and less than 300,000 population according to the last Federal

census or any subsequent Federal census; to authorize the Sheriff to appoint an attorney to advise or represent him; to fix the compensation of said attorney to be paid out of the general fund of the County by the Board of Revenue or like governing body; and providing when this Act shall become effective.

Mr. Hawkins, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Collins (W) et al:

H. 120. Relating to crimes and offenses: to prohibit certain trespass upon the property of schools and institutions of higher education and to prohibit any interference with the peaceful conduct of the business of such schools and institutions.

By Mr. Ellis et al:

H. 463. Relating to disruptive activity on the campus or property of private or public schools, vocational or trade schools, and institutions of higher learning; and prescribing certain penalties for violations.

By Mr. Grainger et al:

H. 279. To promote safe transportation of pupils to and from schools and in school related activities; to direct the state board of education to prescribe certain rules and regulations designed to promote this purpose; to provide for school transportation managers or supervisors; to prescribe certain equipment for school buses; to provide for safety inspection of school buses; to provide for special training and licensing of school bus drivers; and to prescribe penalties.

By Mr. Harris:

S. 265. To authorize local boards of education to fix and collect tuition fees and charges from pupils attending schools under the jurisdiction of such boards, but who live outside the territory over which such boards of education have jurisdiction.

By Messrs. Engel, Cooper and Lolley:

S. 369. Relating to state colleges and universities; authorizing and providing for appointment of police officers to maintain law and order at such institutions.

By Mr. Skidmore:

S. 393. To amend the Code of Alabama 1940, Title 52, Section 509(1); providing for the change in the name of The Medical College of Alabama to "The University of Alabama School of Medicine."

By Messrs. McCarley, Skidmore, Leonard, Albea, Folsom, Branyon, Pelham, Radney, Pierce, Cooper, Torbert, Jackson, Turner, Morrow, Engel, Vacca, Hawkins, McDermott, Bailes and Carr:

S. 495. To prohibit the possession of firearms on the property of any private or public school, vocational or trade school or institution of higher learning without a permit from school authorities.

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Cooper, Stone, Vacca, Radney, Leonard, Pierce, Hawkins, Giles, McCarley, Clark, Harris, Nabors, Torbert, Turner, Lindsey, Gilmore, Givhan, Childs, Branyon, O'Bannon and Folsom:

S. 603. To make it unlawful to tear down, deface, or change a detour sign, warning sign, barricade or fence or to drive around a barricade or fence and drive upon a section of road not officially opened until it be opened to general traffic by competent authority.

By Mr. Pennington et al:

H. 90. To amend Act No. 863, H. 1061, Regular Session 1965 (Acts 1965, p. 1605), an act to create the Alabama Space Science Exhibit Commission; amending Section 3 of such act so as to exempt certain employees of the Commission from the provisions of the state merit system act, to provide that such employees shall not be eligible to participate in the state's health insurance plan and benefits for state employees or in the state employees' retirement system; and amending Section 8 of such act so as to define further the duties, powers and authority of the commission, specifically with reference to programs for promoting and advertising the exhibits and facilities provided by this act, to purchasing by the commission and to the operation of concessions on the grounds and facilities operated by the commission.

Mr. Cooper, Chairman of the Standing Committee on Public Health reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Dominick:

S. 441. To amend Act No. 310 adopted at the 1967 Regular Session of the Legislature of Alabama, to provide that members of the Board of Directors of the Mental Health Authority need not be residents of the municipality which appoints them, but need only be residents of the area served by the Mental Health Authority.

By Mr. Cooper:

S. 527. To establish a board of inquiry and to prescribe its rights, powers and responsibilities; to provide the procedure to obtain legal authorization for the medical sterilization of mentally retarded persons; to prohibit sterilization of persons who are mentally retarded and persons who may reasonably be thought to be mentally retarded, except in accordance with the procedures set forth in this Act; and to relieve physicians, surgeons and their assistants performing medical sterilization authorized by this Act from all legal responsibility except for malpractice.

Mr. Carr, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Mays (with notice and proof) (with amendment):

H. 455. To levy in Escambia County a county privilege tax upon every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters of Escambia County, which tax shall be in addition to all other taxes including the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20); to provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act No. 2 with respect to assessments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize the state revenue department to make rules and regulations to effectuate the purposes of this act; to provide that the revenue derived from the tax shall be used solely for the use of the public schools in Escambia County; and to prescribe additional penalties for certain violations.

Mr. Carr, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Branyon, Lolley, Carr, Gilmore, Jackson, Givhan and Harris:

S. 203. To empower the Director of Conservation with authority to prohibit the importation into this State of any bird, animal, reptile, amphibian, or fish when such importations are not in the best interest of the State of Alabama; to provide regulatory authority to the Director of Conservation to implement the provisions of this Act.

By Mr. McCorquodale et al:

H. 673. To create a state forestry commission; to provide for the appointment of the commission members and to specify their authority and duties; to provide for the appointment of a state forester and assistant state forester and to specify their authority and duties; to provide for the transfer of all monies, records, and physical properties, both real and personal, of the Forestry Division of the Department of Conservation to the Alabama Forestry Commission; to provide for the staff and personnel of the Forestry Commission; to provide for the jurisdiction and the authority for the commission over state forests and other lands; to provide for the compensation and expenses of the commission members and the state forester and assistant state forester; to provide the rule-making power of the commission; to provide for a fund to be known as the Alabama Forestry Commission Fund; and repeal all laws or parts of laws in conflict with the provision of this Act.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cook (Jefferson) et al:

H. 465. To authorize any public building corporation heretofore or hereafter organized pursuant to the provisions of Act No. 682 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore or hereafter amended, in any county having a population of 600,000 or more according to the last or any subsequent federal decennial census, to enter into a con-

tract or lease agreement with the county which authorized the organization of such public corporation and any municipality therein, whereunder the obligations of each may be joint or several, or with such county or any such municipality separately, or with any department or agency of either, or with the State of Alabama, or any department or agency thereof, for a maximum period of 20 years.

By Mr. Yeilding et al:

H. 467. To provide a comprehensive system of law applicable to any county in this state having a population of 500,000 or more according to the last or any subsequent federal census, defining the powers of any such county to construct improvements consisting of sanitary sewers and sewer facilities with respect to subdivisions located outside the corporate limits of any municipality in such counties; to provide a method for the assessment of the cost of any such improvement against the property abutting on, or drained, served, or benefited by such improvement; to require the adoption of a resolution describing the improvement and the property abutting on, or the area to be drained, served or benefited by such improvement; to require the filing of plans and specifications for such improvement; to provide for publication and mailing of notice of the adoption of the said resolution; to provide for a public hearing on such improvement; to provide for payment of the cost of the improvement; to provide for public advertisement for bids for the construction of the improvement unless the county shall perform the work or provide materials from its own resources; to provide for supervision of the work; to provide for the levy of betterment taxes and assessments on the property benefited by any improvement; to provide for the preparation of a list of owners and parcels to be assessed, and publication of notice of such list; to provide for any defects or errors therein; to provide for a hearing on the proposed assessments and making the same final; to provide for the establishment of a lien on the property subject to the assessments and for the priority thereof; to provide for the reduction or abatement of certain assessments; to authorize the transfer and assignment of such liens, and for the enforcement thereof; to specify other provisions with respect to such liens; to provide a system for appeals from the making of such final assessment; to provide a system for payment of all such assessments and for default in such payments; to authorize lands subject to such liens to be sold in satisfaction thereof and a system for the redemption of such lands after any such sale; to establish a procedure for the termination of any right of redemption; to provide a system for the issuance of notes or bonds to finance any such improvements; to exempt any securities issued hereunder from Chapter 6 of Title 12 of the Code of Alabama of 1940, as heretofore or hereafter amended; to specify requirements with respect to any such notes or bonds; to require public sale thereof with certain exceptions; to provide for the refunding thereof under specified circumstances; to provide that any such bond shall be incontestable after a specified period; to provide that all such bonds and notes and the interest thereon shall be exempt from taxation; to provide for the replacement of lost, destroyed or mutilated bonds and for the refunding of outstanding bonds; to establish sinking fund accounts for the payment of bonds and for the grouping of improvements for a single bond issue; to specify the use of funds received from the said assessments and to establish liability on official bonds for the handling of such funds; to provide for a refund of excess collections in certain circumstances; to grant to any such county the right of eminent domain with respect to improvements; to provide for the effect of annexation or incorporation of an area in which assessments have been made; to provide for the severability of the provisions of this act and for the repeal of inconsistent laws; and to establish the effective date of this act.

By Mr. Cook (Jefferson) et al:

H. 468. To authorize any county having a population of 600,000 or more according to the last or any subsequent federal decennial census, to become a party to a contract or lease agreement, solely on its own behalf, or jointly with any municipality in any such county, whereunder the liability of each may be joint or several, and whereunder the lessor is a public building authority, for a maximum period of twenty (20) years, to provide office space or to pay the expenses of providing office space for the State or County Department of Pensions and Security or any successor to both or either of them in carrying on any program for public welfare assistance.

By Mr. Cook (Jefferson) et al:

H. 469. To authorize any public building corporation heretofore or hereafter organized pursuant to the provisions of Act No. 493 enacted at the 1955 Regular Session of the Legislature of Alabama, as heretofore or hereafter amended, in any municipality having a population of 300,000 or more according to the last or any subsequent federal decennial census, to enter into a contract or lease agreement with the municipality which authorized the organization of such public corporation and the county in which such municipality is located, whereunder the obligations of each may be joint or several, or with such municipality or such county separately, or with any department or agency of either, or with the State of Alabama or any department or agency thereof, for a maximum period of 20 years.

By Mr. Cook (Jefferson) et al:

H. 470. To authorize any city having a population of 300,000 or more according to the last or any subsequent federal decennial census, to become a party to a contract or lease agreement, solely on its own behalf, or jointly with the county within which such municipality is located, whereunder the liability of each may be joint or several, and whereunder the lessor is a public building authority, for a maximum period of twenty (20) years, to provide office space or to pay the expenses of providing office space for the State or County Departments of Pensions and Security or any successor to both or either of them in carrying on any program of public welfare assistance.

By Mr. Adwell et al:

H. 472. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, pages 1579 et seq.) as amended, entitled "To create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the board of health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

By Mr. Adwell et al:

H. 476. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq.), as amended, entitled: "An Act to create

or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the board of health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system".

By Mr. Dill et al:

H. 599. To amend Section 1 of Act No. 528 of the 1959 Regular Session of the Legislature of Alabama (General Acts of Alabama of 1959, p. 1302-1304), providing for the appointment of a zoning board of adjustment in any city having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

By Mr. Dill et al:

H. 600. To amend Section 9 of Act No. 414 of the Legislature of Alabama of 1947 (General Acts of 1947, p. 304 et seq.) which fixes, levies and requires the payment of a license tax on cigarettes and tobacco products in counties having a population of 400,000 or more according to the last or any subsequent Federal Census.

By Mr. Dill et al:

H. 601. To amend Section 10 of Act No. 662 of the Legislature of Alabama of 1951 (General Acts of 1951, p. 1132 et seq.) which fixes, levies and requires the payment of a license tax upon the sale, distribution, delivery, storage or taking out of storage of beer, lager beer, ale, porter, near beer or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent Federal Census.

By Mr. Yeilding et al:

H. 678. Proposing a further amendment to Constitutional Amendment CLXXV adopted December 18, 1961 relating to special district taxes for furtherance of education in Jefferson County.

The above bill was read a second time at length as required by the Constitution.

By Mr. Ellis et al:

H. 680. To amend Section 68 of Title 52 of the 1940 Code of Alabama relating to compensation of members of the County Board of Education and to fix the compensation of members of the County Board of Education in all counties having a population of 600,000 persons or more according to the last or any succeeding federal census.

Mr. Bailes, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Radney (with amendment):

S. 271. To amend Chapter 2 of Title 17 of the 1940 Code of Alabama, as amended, to authorize the holding of a presidential preferential primary, to authorize the making of rules governing such preferential primary, and providing for the time for holding such preferential primary, the ballot to be used in such preferential primary and the payment of expenses of such preferential primary.

RESOLUTIONS

Messrs. Cooper, Adams, Albea, Bailes, Branyon, Carr, Childs, Clark, Dominick, Engel, Folsom, Giles, Gilmore, Givhan, Goodwyn, Harris, Hawkins, Jackson, Leonard, Lindsey, Lolley, McCarley, McDermott, Morrow, Nabors, O'Bannon, Oden, Pelham, Pierce, Radney, Skidmore, Stone, Torbert, Turner, Vacca offered the following Senate Joint Resolution, to-wit:

S. J. R. 37. WHEREAS, The Legislature has learned with profound shock and sorrow of the sudden death of Honorable Robert R. Berryman, Representative from the 2nd District; and

WHEREAS, Former Senator Berryman was active in civic, religious and educational affairs in his community and state, and was Past Grand Master of the MW Grand Lodge, F&AM of Alabama; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That we mourn the untimely death of our friend and colleague, Robert R. Berryman, and extend our deepest sympathy to the surviving members of his family.

BE IT FURTHER RESOLVED That copies of this Resolution be sent to his wife, Mrs. Kylie Berryman, and to his son, Clinton Berryman, U. S. Army.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 82. To be known as the Alabama Consumer Credit Code, relating to certain consumer and other credit transactions and constituting the uniform consumer credit code; consolidating and revising certain aspects of the law relating to consumer and other loans, consumer and other sales of goods, services and interests in land, and consumer leases; revising the law relating to usury; regulating certain practices relating to insurance in consumer credit transactions; providing for administrative regulation of certain consumer credit transactions; making uniform the law with respect thereto; and repealing inconsistent legislation, including the following laws and parts of law:

Code of Alabama 1940: Title 9, § § 61, 65, and 66; Title 28, § 296; and Title 51, § 495 as amended by Act No. 680, General Acts of Alabama, Regular Session (1953); and Act No. 374 General Acts of Alabama, Regular Session 1959, known as the Alabama Small Loan Act; and to amend the following laws:

Code of Alabama 1940: Title 9, § 60; and Title 5, § 120.
as amended.

The question was on the amendment offered by Mr. Pelham, which said amendment is set out in the Journal of the Senate for the Sixteenth Legislative Day.

On motion of Mr. Turner, said amendment was laid on the table.

Yeas 18; Nays 9.

Yeas:

Messrs.:	Gilmore	McDermott	Stone	
Adams	Goodwyn	Morrow	Torbert	
Branyon	Hawkins	Nabors	Turner	
Childs	Jackson	Pierce	Vacca	
Clark	Lolley	Radney		—18

Nays:

Messrs.:	Dominick	Leonard	O'Bannon	
Albea	Folsom	Lindsey	Pelham	
Bailes	Harris			—9

Mr. Bailes offered the following amendment to the Bill, S. B. 82, as amended, to-wit:

AMENDMENT TO S. B. 82, AS AMENDED

Amend Sec. 3.201 (1)

Strike out the words and figures "18 per cent per year" and insert the words and figures "8 per cent per year."

Amend Sec. 3.201 4(a) by striking out 18 per cent and inserting 8 per cent and strike out 1½ per cent and insert .065 per cent.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. 293. Relating to counties having a population of not less than 33,000 nor more than 35,000; to authorize the boards of registrars in such counties to meet an additional ten days per year and to be paid a travel allowance.

Also:

S. 376. To regulate the compensation of jurors in counties having populations of not less than 33,000 nor more than 35,000.

Also:

S. 377. To amend Act No. 235, S. 97, Regular Session 1967, an act providing for the appointment and compensation of deputies and assistants of the sheriff of Barbour County, so as to make further provisions respecting the compensation and appointment of jailers.

Also:

S. 379. Relating to the Office of the Sheriff of Houston County; providing further for the appointment, number, term, duties and compensation of the deputies of the Sheriff, and repealing conflicting laws, including Act No. 163, H. 765, Regular Session 1965 (Approved July 23, 1965).

Also:

S. 409. Relating to counties having a population of not less than 15,500 nor more than 16,300; increasing the salary of the deputy solicitor in such counties.

Also:

S. 422. Relating to counties having a population of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census; increasing the salary of the Judge of the Inferior Court for such counties.

Also:

S. 424. Relating to Elmore County: abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

Also:

S. 431. To alter, rearrange and extend the boundaries and corporate limits of the Town of Weaver, Calhoun County, Alabama, so as to annex certain territory to the Town.

Also:

S. J. R. 35. Relating to the address to the Legislature by retired U. S. Senator Lister Hill.

Also:

S. J. R. 36. Relating to the Legislature recessing on July 15 for the purpose of viewing the film "Scenic Alabama, Heart of Dixie".

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 186. To propose an amendment to the Constitution of Alabama to authorize the state to engage in works of internal improvement in connection with (1) the construction and maintenance of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary and (2) to authorize the state to issue in connection therewith interest-bearing general obligation bonds of the state in principal amount not exceeding $10,000,000: and (3) to authorize the state to establish a public corporation with the powers and resources necessary to undertake obligations authorized by this amendment to be undertaken by the state.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has reconsidered and amended as therein shown and as amended has again passed the following Senate bill and returns same herewith to the Senate:

S. 185. To provide for and authorize the organization of a public corporation in the state to be named Coosa Valley Development Authority, for the purpose of furthering the development of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary; to designate the officers and members of the board of directors of the Authority; to define and describe the duties and obligations which the Authority is authorized to undertake and discharge in connection with the proposed waterway project; to prescribe the powers of the Authority; to limit and regulate the Authority's power to enter into contracts; to authorize the Authority to delegate its duties and obligations to other public corporations, agencies and departments of the state and to prescribe the conditions upon which such a delegation shall be effective; to authorize the State Docks Department to provide and maintain suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army and the Chief of Engineers; to authorize the sale and issuance of general obligation bonds of the state in aggregate principal amount not exceeding $10,000,000, the proceeds of which are to be expended by the Authority in discharging its duties and obligations in connection with the proposed waterway project; to make provi-

sions for the sale, execution and issuance of the said bonds; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the said bonds; to provide that the said bonds and the income therefrom shall be exempt from taxation; to authorize and direct the State Treasurer to pay the principal of and interest on the bonds from any available funds of the state; and to provide for the dissolution of the Authority.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Stone, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 185, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 185

A BILL
TO BE ENTITLED
AN ACT

To provide for and authorize the organization of a public corporation in the state to be named Coosa Valley Development Authority, for the purpose of furthering the development of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary; to designate the officers and members of the board of directors of the Authority; to define and describe the duties and obligations which the Authority is authorised to undertake and discharge in connection with the proposed waterway project; to prescribe the powers of the Authority; to limit and regulate the Authority's power to enter into contracts; to authorize the Authority to delegate its duties and obligations to other public corporations, agencies and departments of the state and to prescribe the conditions upon which such a delegation shall be effective; to authorize the State Docks Department to provide and maintain suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army and the Chief of Engineers; to authorize the sale and issuance of general obligation bonds of the state in aggregate principal amount not exceeding $10,000,000, the proceeds of which are to be expended by the Authority in discharging its duties and obligations in connection with the proposed waterway project; to make provisions for the sale, execution and issuance of the said bonds; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the said bonds; to provide that the said bonds and the income therefrom shall be exempt from taxation; to authorize and direct the State Treasurer to pay the principal of and interest on the bonds from any available funds of the state; and to provide for the dissolution of the Authority.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Definitions. The following words and phrases used in this act, and others evidently intended as the equivalent thereof, shall, in the absence of clear implication herein otherwise, be given the following respective interpretations herein:

"Authority" means the public corporation organized pursuant to the provisions of this act.

"Board" means the board of directors of the Authority.

"Bonds" means the bonds issued under the provisions of this act.

"County" means a county in the state.

"Director" means a member of the board of directors of the Authority.

"Municipality" means an incorporated city or town of the state.

"Person," unless limited to a natural person by the context in which it is used, includes a public or private corporation organized under the laws of Alabama or of another state, a municipality, a county, or an agency, department or instrumentality of a county or municipality, of one or more of the several states, or of the United States.

"Property" means and includes real and personal property, and interests therein.

"State" in the absence of clear implication herein otherwise, means the State of Alabama.

"Waterway" means a navigable waterway, utilizing the channel of the Coosa River, between Montgomery and Gadsden and to the Alabama-Georgia boundary, as authorized by the River and Harbor Act of March 2, 1945, Public Law 14, 79th Congress, 1st Session (1945).

"Herein," "hereby," "Hereunder," "Hereof," and other equivalent words refer to this act as an entirety and not solely to the particular section or portion thereof in which any such word is used.

The definitions set forth herein shall be deemed applicable whether the words defined are used in the singular or plural. Whenever used herein any pronoun or pronouns shall be deemed to include both singular and plural and to cover all genders.

"Section 2. Legislative Intent. The legislature hereby makes the findings of facts and declaration of intent hereinafter set forth in this section. The construction of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary, utilizing the channel of the Coosa River, would provide a new transportation route of great importance and would stimulate the development of commerce, agriculture, and industry in many sections of the state. It is the intention of the legislature by the passage of this act to implement the provisions of the amendment of the Constitution of Alabama proposed by Act No. enacted at the same session of the legislature at which this act was enacted. In order to further the developments herein found to be beneficial, it is the intention of the legislature to authorize the formation of a public corporation for the following purposes: to cooperate with the United States, the State of Alabama, other participating states, counties, and municipalities, with all agencies, departments and instrumentalities of such political entities, and with private individuals, corporations, associations, and other persons in furthering the development of the waterway project; to undertake all obligations and perform all actions that shall be necessary to fulfill the requirements of local contribution, participation and cooperation now, or hereafter, established by the United States in connection with the waterway project; to cooperate generally with the United States, the State

of Alabama, other participating states, counties, and municipalities, with all agencies, departments and instrumentalities of such political entities, in promoting projects in the basin of the Coosa River for navigation, water conservation and supply, flood control, industrial development, public recreation and related purposes. It is further the intention of the legislature to authorize the issuance of general obligation bonds of the state herein provided for and to empower the said public corporation to supervise the sale of the said bonds and to expend the proceeds of the said bonds in discharging the duties and obligations which the said public corporation is authorized by this act to undertake. Nothing herein is intended to authorize such public corporation to engage in or finance, directly or indirectly, the production, transmission, distribution, or sale of electric power or to acquire by purchase, license, lease, condemnation or otherwise a hydroelectric project, or any part thereof, now or hereafter licensed by the Federal Power Commission under the Federal Power Act of June 10, 1920, Public Law No. 280, 66th Congress, 2nd Session, and amendments thereto. This act shall be liberally construed in conformity with its purpose."

Section 3. Authorization to Form Public Corporation. The Governor, the Lieutenant-Governor, the Speaker of the House of Representatives of the State Legislature, the Director of Finance, the Highway Director, the Director of the State Docks Department and the President of the Coosa-Alabama River Improvement Association may become a public corporation, with the powers hereinafter provided, by proceeding according to the provisions of Section 4 of this act.

Section 4. Manner of Incorporation. To become a corporation, the Governor, the Lieutenant-Governor, the Speaker of the House of Representatives, the Director of Finance, the Highway Director, the Director of the State Docks Department and the President of the Coosa-Alabama River Improvement Association shall present to the Secretary of State of Alabama an application signed by each of them which shall set forth (a) the name, official designation and official residence of each of the applicants; (b) the name of the proposed corporation, which shall be Coosa Valley Development Authority; (c) the location of the principal office of the proposed corporation; and (d) any other matter relating to the proposed corporation which the applicants may choose to insert and which is not inconsistent with this act or the laws of the State of Alabama. The application shall be subscribed and sworn to by each of the applicants before an officer authorized by the laws of the State of Alabama to take acknowledgments to deeds. The Secretary of State shall examine the application and, if he finds that it substantially complies with the requirements of this section, he shall receive and file it and record it in an appropriate book of records in his office.

Section 5. Certificate of Incorporation. When the application has been made, filed and recorded, as herein provided, the applicants shall constitute a public corporation under the name submitted in the application, and the Secretary of State shall make and issue to the applicants a certificate of incorporation under the Great Seal of the state and shall record the certificate with the application. There shall be no fees paid to the Secretary of State for any service rendered or work performed in connection with the Authority thus formed, its incorporation, dissolution or records.

Section 6. Members, Officers and Directors of the Authority. The applicants named in the application and their respective successors in office shall constitute the members of the Authority. The Governor shall be the president

of the Authority, the Lieutenant-Governor shall be its vice president, and the Director of Finance shall be its secretary. The State Treasurer shall be the treasurer of the Authority and shall act as custodian of its funds, but he shall not be a member of the Authority. The members of the Authority shall constitute all the members of the board of directors of the Authority, and any four members of the board of directors shall constitute a quorum for the transaction of business. Should any person holding any state office named in this section, or the President of the Coosa-Alabama River Association, cease to hold office by reason of death, resignation of his term of office, or for any other reason, then his successor in office shall take his place as a member and officer of the Authority. Except as hereinafter provided, no member, officer or director of the Authority shall receive any compensation in addition to that now authorized by law for any service they may render or for any duty they may perform in connection with the Authority; provided, that the Lieutenant-Governor and the Speaker of the House of Representatives shall receive for each day devoted to the business of the Authority the same per diem compensation and allowance that would be paid to them for attending legislative sessions, but this special compensation and allowance shall not be allowed on days when the Lieutenant-Governor and the Speaker of the House of Representatives are paid the per diem compensation and allowance for attending legislative sessions.

The herein provided for special compensation and allowance of the Lieutenant-Governor and the Speaker of the House of Representatives shall be paid out of the moneys appropriated for the expenses of the legislature in the same manner that the per diem compensation and allowance of legislators serving on interim committees are paid. All proceedings had and done by the board of directors shall be reduced to writing by the secretary of the Authority and recorded in a substantially bound book, which shall be kept in the office of the Secretary of State. Copies of such proceedings, when certified by the secretary of the Authority, under the seal of the Authority, shall be received in all courts as prima facie evidence of the matters and things therein certified.

Section 7. Duties and Obligations Which May Be Undertaken by the Authority.

The Authority may undertake and discharge the duties and obligations set forth in this section as follows:

In connection with the waterway, the Authority may do or cause to be done the following: (i) construct, maintain and operate all highway bridges necessitated by the waterway and construct and maintain all highway relocations and alterations necessitated by the waterway, (ii) construct and maintain all alterations in sewer, water supply and drainage facilities necessitated by the waterway; (iii) assume any increased cost necessitated by the waterway in connection with maintaining and operating utility crossings. It is the intention of the legislature to make the scope of foregoing duties and obligations which may be undertaken by the Authority commensurate with the corresponding requirements of local contribution and participation established by the River and Harbor Act of March 2, 1945, Public Law 14, 79th Congress, 1st Session (1945).

Section 8. Powers of the Authority. The Authority shall have the following powers: (a) to have succession by its corporate name without time limit; (b) to sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties;

(c) to have and to use a corporate seal and to alter the same at pleasure; (d) to receive, take and hold by sale, gift, lease, devise or otherwise real and personal property of every kind and description, and to manage the same; (e) to acquire by purchase, gift, or the exercise of the power of eminent domain, or any other lawful means, and to convey or cause to be conveyed to the United States, the State of Alabama, any county or municipality in the state, or to any agency, department, or instrumentality of such political entities, or to any public corporation, any real, personal or mixed property necessary or convenient to the Authority in the performance of its duties and obligations in connection with the waterway project; (f) to exercise the right of eminent domain as freely and completely as, and in the same manner that, the State of Alabama is empowered to exercise such right; (g) to enter into contracts with the United States, the State of Alabama, counties, and municipalities, with all agencies, departments and instrumentalities of such political entities, and with private individuals, firms, corporations, and other persons for any purpose related to the Authority's duties and obligations in connection with the waterway project; (h) to supervise the sale of general obligation bonds of the state subject to the provisions of Section 12 of this act and to expend the proceeds of the said bonds in discharging its duties and obligations in connection with the waterway project; (i) to appoint and employ such attorneys and agents as the business of the Authority may require; provided, that the Authority shall not employ fiscal agents in connection with the sale of bonds; (j) to appoint and employ an administrator and supporting staff with such duties and powers, for such terms, and at such salaries as the board of directors shall deem advisable; to delegate, subject to the provisions of Section 10 hereof, the performance of the Authority's duties and obligations to the Highway Department, the State Docks Department, and any other public corporations, agencies and departments of the state, in such part, to such extent, and on such terms as the board of directors shall deem advisable and to turn over to such other public corporations, agencies and departments of the state any and all funds of the Authority necessary to enable such other public corporations, agencies and departments to perform the duties and obligations of the Authority delegated to them.

Section 9. Contracts of the Authority. The aggregate monetary obligation that the Authority may incur in connection with its contracts shall not at any time exceed the sum of (a) any uncommitted or unencumbered moneys then appropriated to the Authority by the legislature and (b) any uncommitted or unencumbered proceeds of bonds available or to become available from bonds then authorized by the Authority and approved by the Governor pursuant to Section 12 hereof. No contract involving the expenditure of money, whether now or later, shall be approved or ratified by the board of directors unless the resolution approving or ratifying the same shall include a determination that there will be compliance with the preceding limitation when the amount of the obligation of the contract in question has been added to the already existing obligations of the Authority. This determination by the board of directors shall be conclusive of the question of compliance. All contracts of the Authority for the construction, reconstruction, relocation, maintenance and operation of highways, roads, and bridges, and work incidental or related thereto, and the acquisition of property necessary therefor, shall be in writing, shall be subject to the rules and regulations and shall be let under the supervision of the Highway Department and shall be subject to approval by the Governor and by the Highway Department. All work provided for in any such contract shall be supervised by the Highway Department. All persons engaging in the supervision or performance of any work involving highways, roads and bridges that may be done by the Authority without the

award of a contract therefor shall be employees of the Highway Department. All contracts of the Authority for the construction, reconstruction or relocation of any facilities or structures and all purchases of equipment by the Authority shall be made on the basis of competitive bidding in the manner and according to the procedures provided in Act No. 492 adopted at the 1947 Regular Session of the Legislature, as amended, Act No. 343 adopted at the 1957 Regular Session of the Legislature, as amended, and any other applicable statutes.

Section 10. Duties of Other Public Corporations, Agencies and Departments of the State. Any duties and obligations of the Authority which shall be delegated by the board of directors of the Authority to the Highway Department, the State Docks Department, or any other public corporation, agency or department of the state shall be undertaken and discharged by the public corporation, agency or department to which such duties and obligations shall have been delegated; provided, that such a delegation shall not be effective and shall not release the Authority from the duties and obligations proposed to be delegated nor impose any duties or obligations on the public corporations, agencies and departments to which a delegation shall have been made unless the Governor and the director, head or governing body of the public corporation, agency or department to which a delegation shall have been made shall approve such delegation in all respects; and provided, further, that the public corporation, agency, or department shall at the time of such delegation be empowered by laws other than this act to perform duties and discharge obligations of the kind delegated and that this section shall not be construed to change the lawfully established nature and functions of public corporations, agencies and departments of the state.

Section 11. Authority of the State Docks Department. In connection with the navigational use of the waterway, the State Docks Department is hereby authorized to provide and maintain suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army of the United States and the Chief of Engineers of the United States Army.

Section 12. Authorization of Bonds: Details Respecting the Bonds. There are hereby authorized to be issued bonds of the state in aggregate principal amount not exceeding $10,000,000. The bonds hereby authorized shall be general obligations of the state, and the full faith and credit of the state are hereby irrevocably pledged for the prompt and faithful payment of the principal of and the interest on the bonds.

The bonds may be sold from time to time as the board of directors may deem advantageous; provided, that no bonds (other than refunding bonds) may be sold or issued unless the Governor shall have first determined that the issuance of the bonds proposed to be issued will be necessary to enable the Authority to fulfill the requirements of local contribution, participation and cooperation established by the United States in connection with the waterway project. Except as hereinafter limited, the bonds may be executed and delivered at any time and from time to time, may be in such forms, denominations, series and numbers, may be of such tenor and maturities, may bear such date or dates, may be in registered or bearer form either as to principal or interest, or both, may be payable in such installments and at such time or times, may be payable at such place or places within or without the state, may bear interest at such rate or rates payable and evidenced in such manner, may contain provisions for redemption at the option of the Authority at

such date or dates prior to their maturity and upon payment of such redemption price or prices, and may contain such other provisions not inconsistent with the provisions of this act, all as shall be provided by the board of directors in the resolution or resolutions whereunder the bonds are issued. The principal of each series of the bonds shall mature in annual installments in such amounts as shall be specified in the resolution or resolutions of the board of directors under which they are issued, the first of which installments shall mature not later than one year after the date of the bonds of such series and the last of which installments shall mature not later than twenty years after the date of the bonds of the same series. Any redemption price required to be paid in order to effect any redemption of bonds prior to maturity shall not exceed the face value of each bond redeemed plus accrued interest thereon to the date fixed for redemption and a premium equal to one year's interest on such bond. Each series of bonds having an installment of principal maturing more than ten years after the date thereof shall be made subject to redemption prior to maturity, at the option of the state, at the end of the tenth year following their date and semiannually thereafter, as a whole or in part in the inverse order of the numbers of the bonds of that series. When each series of the bonds is issued, the maturities of the bonds of that series shall, to such extent as may be practicable, be so arranged that during each then succeeding fiscal year of the state the aggregate installments of principal and interest that will mature on all bonds that will be outstanding hereunder, immediately following the issuance of the bonds of that series, will be substantially equal; provided, that the determination by the Authority that the requirements of this sentence have been complied with shall be conclusive of such compliance and the purchasers of any of the bonds and all subsequent holders thereof shall be fully protected by such determination.

None of the bonds shall be sold for less than their face value plus accrued interest thereon to the date of their delivery, and all of the bonds shall be sold only at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest net interest cost to the state computed to the respective maturities of the bonds sold; provided, that, if no bid deemed acceptable by the commission is received, all bids may be rejected. Notice of each bond sale shall be given by the Authority by publication in either a financial journal or a financial newspaper published in New York, New York, and also by publication in a newspaper published in the State of Alabama, each of which notices must be published at least one time not less than ten days prior to the date fixed for the sale. The Authority shall cause such other publicity to be given of each bond sale as it may deem advisable, and it shall fix the terms and conditions under which each sale of bonds may be held; provided, that such terms and conditions shall not conflict with any of the requirements of this act. The Authority is authorized to provide terms and conditions under which any of the bonds may be exchanged for like bonds of other denominations and may be converted from bearer bonds into registered bonds, either as to principal or interest or both as the Authority may prescribe, and again converted into bearer bonds. Subject to the provisions of this act, the Authority may from time to time sell and issue refunding bonds for the purpose of refunding any matured or unmatured bonds of the Authority then outstanding.

The bonds shall not be valid unless the Governor shall approve the terms and conditions under which the bonds were authorized to be issued by the board of directors of the Authority. Such approval shall be entered on the minutes of the meeting of the board of directors at which the bonds are authorized, and shall be signed by the Governor. Such approval by the Gover-

nor may be shown on any such bonds by a facsimile of his signature printed or otherwise reproduced thereon when authorization thereof is contained in the said approval signed by him.

The bonds shall be executed in the name of the state by the Governor, and the Great Seal of the state, or a facsimile thereof, shall be affixed, printed or otherwise reproduced thereon and attested by the Secretary of State. A facsimile of the signature of either, but not of both, of said officials may be printed or otherwise reproduced on any of the bonds in lieu of being manually inscribed thereon. The coupons evidencing any installments of interest on the bonds shall be executed with a facsimile of the signature of the State Treasurer printed or otherwise reproduced thereon. Each such facsimile of a signature shall be valid in all respects as if the officials the facsimiles of whose signatures are so used had signed the bonds in person. Any facsimile of the Great Seal of the state so used shall be valid in all respects as if the Great Seal of the state had been manually affixed to the bonds. In the event any official who shall sign the bonds or the facsimile of whose signature shall appear thereon shall thereafter cease to hold office before they are delivered and paid for, the bonds and the coupons applicable thereto shall nevertheless be valid for all purposes to the same extent as if the official who signed the bonds or the facsimile of whose signature appears thereon had remained in office until all of the bonds bearing such signature or facsimile thereof shall have been delivered and paid for.

The bonds and the income therefrom shall be exempt from all taxation in the state.

Section 13. Proceeds of Bonds. The Authority shall pay out of the proceeds from the sale of any of the bonds all expenses which the board of directors may deem necessary or advantageous in connection with the sale and issuance of the bonds. The proceeds from the sale of all bonds, other than refunding bonds, remaining after paying the expenses of their sale and issuance shall be turned into the State Treasury, shall be carried in a special fund to be designated the Coosa Valley Development Authority Fund, and shall be subject to be drawn on by the Authority, upon approval by the Governor, but solely for the purpose of discharging the duties and obligations undertaken by the Authority in connection with the waterway project. The proceeds from the sale of any refunding bonds remaining after the expense of their issuance shall be used only for the purpose of refunding the principal of outstanding bonds issued hereunder and of paying any premium that may be necessary to be paid in order to redeem or retire the bonds to be refunded.

Any portion of the proceeds derived from the sale of any of the bonds which the board of directors of the Authority may determine is not then needed for any of the purposes for which the bonds are authorized to be issued shall, on order of the Authority, be invested by the State Treasurer in any securities that are direct general obligations of the United States or the principal of and interest on which are unconditionally and irrevocably guaranteed by the United States. Any such securities may, at any time and from time to time, on order of the Authority, be sold or otherwise converted by the State Treasurer into cash. The income derived from any such investments shall be added to and treated as a part of the Coosa Valley Development Authority Fund.

Section 14. State Treasurer Authorized to Pay Principal and Interest of Bonds; Records. Out of any funds in the State Treasury that may be available for such purpose, the State Treasurer is authorized and directed to pay the

principal of and interest on the bonds at the respective maturities of the said principal and interest, and he is further authorized and directed to set up and maintain appropriate records pertaining thereto.

Section 15. Dissolution of the Authority. At any time when no duties or obligations of the Authority shall remain to be discharged, or when all duties and obligations remaining to be discharged shall have been effectively delegated to public corporations, agencies and departments of the state in accordance with Section 10 thereof, the Authority may be dissolved upon the filing with the Secretary of State of an application for dissolution, which shall be subscribed by each of the members of the Authority, and which shall be sworn to by each such member before an officer authorized to take acknowledgments to deeds. Upon the filing of said application for dissolution, the Authority shall cease and any property owned by it at the time of its dissolution shall pass to the state. The Secretary of State shall file and record the application for dissolution, in an appropriate book of record in his office, and shall make and issue, under the Great Seal of the state, a certificate that the Authority is dissolved, and shall record the said certificate with the application of dissolution.

Section 16. Severability Clause. In the event any section, sentence, clause or provision of this act shall be declared invalid by any court or competent jurisdiction, such action shall not affect the validity of the remaining sections, sentences, clauses or provisions of this act, which shall continue effective.

Section 17. Effective Date. This act shall become effective upon the adoption of an amendment to the Constitution of Alabama proposed by Act No. enacted at the same session of the legislature at which this act was enacted.

The substitute for Senate Bill 185 is hereby amended by striking Section 2 thereof and in lieu thereof substituting the following:

"Section 2. Legislative Intent. The legislature hereby makes the findings of facts and declaration of intent hereinafter set forth in this section. The construction of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary, utilizing the channel of the Coosa River, would provide a new transportation route of great importance and would stimulate the development of commerce, agriculture, and industry in many sections of the state. It is the intention of the legislature by the passage of this act to implement the provisions of the amendment of the Constitution of Alabama proposed by Act No. enacted at the same session of the legislature at which this act was enacted. In order to further the developments herein found to be beneficial, it is the intention of the legislature to authorize the formation of a public corporation for the following purposes: to cooperate with the United States, the State of Alabama, other participating states, counties, and municipalities, with all agencies, departments and instrumentalities of such political entities, and with private individuals, corporations, associations, and other persons in furthering the development of the waterway project; to undertake all obligations and perform all actions that shall be necessary to fulfill the requirements of local contribution, participation and cooperation now, or hereafter, established by the United States in connection with the waterway project; to cooperate generally with the United States, the State of Alabama, other participating states, counties, and municipalities, with all agencies, departments and instrumentalities of such political entities, in promoting projects in the basin of the Coosa River for navigation, water conserva-

tion and supply, flood control, irrigation, industrial development, public recreation and related purposes. It is further the intention of the legislature to authorize the issuance of general obligation bonds of the state herein provided for and to empower the said public corporation to supervise the sale of the said bonds and to expend the proceeds of the said bonds in discharging the duties and obligations which the said public corporation is authorized by this act to undertake. Nothing herein is intended to authorize such public corporation to engage in or finance, directly or indirectly, the production, transmission, distribution, or sale of electric power or to acquire by purchase, license, lease, condemnation or otherwise a hydroelectric project, or any part thereof, now or hereafter licensed by the Federal Power Commission under the Federal Power Act of June 10, 1920, Public Law No. 280, 66th Congress, 2nd Session, and amendments thereto. Likewise nothing herein is intended to authorize such public corporation to engage in or finance, directly or indirectly, the organization or operation of any irrigation district or similar irrigation authority. This act shall be liberally construed in conformity with its purpose."

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	O'Bannon	
Albea	Givhan	Lolley	Pelham	
Bailes	Goodwyn	McCarley	Pierce	
Branyon	Harris	McDermott	Radney	
Clark	Hawkins	Morrow	Stone	
Cooper	Jackson	Nabors	Torbert	
Dominick	Leonard			—25

Nays: —0

RESOLUTIONS

Mr. McDermott offered the following Senate Joint Resolution, to-wit:

S. J. R. 38. WHEREAS, Mr. Ralph Parker, Project Engineer in the construction of the Mobile Industrial Park Road lost his life on September 23, 1968 while engaged on that project; and

WHEREAS, Mr. Parker was a fine gentleman, faithful and competent Highway Department Employee, and died while engaged in the prosecution of work which will greatly benefit both the Mobile area and the entire State of Alabama;

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that we deeply regret the passing of Mr. Parker and extend our heartfelt sympathy to the surviving members of his family to whom copies of this resolution shall be sent.

On motion of Mr. McDermott, the Rules were suspended and the Resolution was adopted by the Senate.

FURTHER CONSIDERATION OF S. B. 82

The Senate proceeded to further consideration of the Bill, S. B. 82, as amended. The question was on the amendment offered by Mr. Bailes.

MOTION TO ADJOURN LOST

At 5:20 P.M., Mr. Turner moved that the Senate adjourn until Thursday, July 10, 1969, at 9 o'clock A.M. Mr. Albea moved as a substitute motion that the Senate adjourn until Thursday, July 10, 1969, at 12 o'clock Noon, which motion was lost.

Yeas 12; Nays 15.

Yeas:

Messrs.:	Cooper	Leonard	Pelham	
Albea	Folsom	Lindsey	Skidmore	
Bailes	Hawkins	Nabors	Vacca	
Childs				—12

Nays:

Messrs.:	Givhan	Lolley	Radney	
Clark	Goodwyn	McDermott	Stone	
Dominick	Harris	Morrow	Torbert	
Gilmore	Jackson	Pierce	Turner	
				—15

The question recurred on the motion of Mr. Turner that the Senate adjourn until Thursday, July 10, 1969, at 9 o'clock A.M., and the motion to adjourn was lost.

Yeas 10; Nays 17.

Yeas:

Messrs.:	Childs	Leonard	Skidmore	
Albea	Cooper	Lindsey	Vacca	
Bailes	Folsom	Pelham		—10

Yeas:

Messrs.:	Goodwyn	McDermott	Radney	
Clark	Harris	Morrow	Stone	
Dominick	Hawkins	Nabors	Torbert	
Gilmore	Jackson	Pierce	Turner	
Givhan	Lolley			—17

The Senate proceeded to further consideration of the Bill, S. B. 82, as amended. The question was on the amendment offered by Mr. Bailes.

MOTION TO ADJOURN LOST

At 6:25 P.M., Mr. Turner moved that the Senate adjourn until Thursday, July 10, 1969, at 9 o'clock A.M. Mr. Nabors moved as a substitute motion that the Senate adjourn until Thursday, July 10, 1969, at 11 o'clock A.M., which motion was lost.

Yeas 11; Nays 14.

Yeas:

Messrs.:	Bailes	Hawkins	Pelham	
Adams	Childs	Jackson	Skidmore	
Albea	Cooper	Nabors	Vacca	
				—11

Nays:

Messrs.:	Gilmore	Lolley	Stone	
Clark	Givhan	McDermott	Torbert	
Dominick	Goodwyn	Morrow	Turner	
Giles	Harris	Pierce		—14

The question recurred on the motion of Mr. Turner that the Senate adjourn until Thursday, July 10, 1969, at 9 o'clock A.M., which motion was lost.

Yeas 4; Nays 20.

Yeas:

Messrs.:	Albea	Jackson	Skidmore	
Adams				—4

Nays:

Messrs.:	Gilmore	Lolley	Pierce	
Bailes	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	Pelham	Vacca	
Dominick				—20

FURTHER CONSIDERATION OF S. B. 82

The Senate proceeded to further consideration of the Bill, S. B. 82, as amended. The question was on the amendment offered by Mr. Bailes.

ADJOURNMENT

At 7:45 P.M., on motion of Mr. Cooper, pending further consideration of the Bill, S. B. 82, the Senate adjourned until Thursday, July 10, 1969, at 10 o'clock A.M.

EIGHTEENTH LEGISLATIVE DAY

THURSDAY, JULY 10, 1969

The Senate met pursuant to adjournment, President Pro Tempore Goodwyn presiding.

PRAYER

The Session was opened with prayer by the Reverend William Yarber, Pastor, First Baptist Church, Fayette, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Leonard	Pelham	
Adams	Folsom	Lindsey	Pierce	
Albea	Giles	Lolley	Radney	
Bailes	Gilmore	McCarley	Skidmore	
Branyon	Givhan	McDermott	Stone	
Carr	Goodwyn	Morrow	Torbert	
Childs	Harris	Nabors	Turner	
Clark	Hawkins	O'Bannon	Vacca	
Cooper	Jackson			—33

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Seventeenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Seventeenth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Engel and Oden for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Harris:

S. 638. To amend further Act No. 355, H. 757, Regular Session 1953, (Acts 1953, p. 423), which relates to the office of sheriff of Limestone County so as to delete from said act the requirement that the county furnish the sheriff a house in which to reside during his term of office.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 355, H. 757, Regular Session 1953, (Acts 1953, p. 423), which relates to the office of sheriff of Limestone County

so as to delete from said act the requirement that the county furnish the sheriff a house in which to reside during his term of office.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 355, H. 757, Regular session 1953, (Acts 1953, p. 423) which relates to the office of sheriff of Limestone County is hereby amended to read as follows:

"Section 1. The sheriff of Limestone County shall be compensated on a fee basis and shall be entitled to all fees, percentages, and allowances provided for sheriffs under the general laws of the State of Alabama."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Baylis Hightower, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Treasurer of the Athens News Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 13, May 20, May 27, and June 3, all in the year 1969.

BAYLIS HIGHTOWER.

Sworn to and subscribed before me June 5, 1969.

LOLA L. ORR,
Notary Public.

By Mr. Turner:

S. 639. To amend Act No. 91, H. 22, Special Session 1969 so as to allocate thirty of the educable exceptional children teacher units to trainable exceptional children teacher units.

Committee on Finance and Taxation.

By Mr. Albea:

S. 640. Relating to cities having populations of more than thirty thousand and not exceeding forty-five thousand according to the most recent federal decennial census; to validate certain elections purportedly held pursuant to Act No. 404, S. 430 of the Regular Session of 1953 (Acts, 1953, p. 472), and to amend said Act No. 404, which authorizes, provides for and regulates the adoption of the council-manager form of government by any such city, so as to provide further for notice required of the election of the first council after a city elects this form of government, and to provide for holding and conducting the elections of the first and subsequent city councils under this Act.

Committee on Local Legislation No. 1.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lolley (with notice and proof):

S. 631. Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

By Mr. Torbert:

S. 636. To apply only in counties of this state having populations of not less than 49,500 nor more than 50,500; providing that in any condemnation proceeding instituted in connection with an urban renewal or other redevelopment plan or project, the commissions appointed pursuant to Code of Alabama 1940, Title 19, Section 11, as amended, shall fix the value of any property sought to be acquired at no less than the value of such property as of the date of the announcement of the plan or project or slum, blight, or deterioration to be removed.

By Mr. Torbert:

S. 635. Providing for payment by housing authorities or redevelopment agencies, on appeal from condemnation proceedings instituted in counties with any urban renewal or other redevelopment plan or project of all reasonable costs of the proceedings in the appellate court, including a reasonable attorney's fee, except in certain instances, in all counties of this state with populations of not less than 49,500 nor more than 50,500.

By Mr. Radney (with notice and proof):

S. 628. Relating to Tallapoosa County: To regulate further the compensation and expense allowances of members of the county governing body.

By Mr. Radney (with notice and proof):

S. 629. Relating to the office of the sheriff in Tallapoosa County; further regulating the salaries of deputies of the sheriff.

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Turner and Bailes:

S. 632. To amend Title 28, Section 296, Alabama Code, fixing interest rates on loans made by credit unions.

Mr. Pelham, Chairman of the Standing Committee on Fish and Game, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Givhan:

S. 49. To provide penalties for persons convicted of stealing fish from persons engaged in fish farming.

By Mr. Pelham:

S. 565. To declare the public policy of the State of Alabama with respect to all laws governing seafoods, aquatic life and salt water matter; to create the Alabama Marine Conservation Commission, to prescribe its authority, jurisdiction, powers and functions and to provide for the appointment, qualifications, terms and compensation of its members; to authorize the commission to appoint an advisory council; to abolish the Division of Seafoods in the State Conservation Department and to transfer its authority, jurisdiction, duties, property and funds including the control of the seafoods fund to said commission; to authorize the appointment of administrative personnel and other employees subject to the state merit system laws; to provide for the licensing and taxing of boats and vessels used in taking or catching seafoods and of persons, firms and corporations dealing in seafoods; to provide for the cultivation of oyster reefs and the leasing of oyster bottoms; to regulate and fix requirements for contracts for the sale or removal of shells; to provide for the disposition and use of all funds accruing to the commission; to provide for the enforcement of this act and to authorize certain municipalities to aid and cooperate therein; to prescribe penalties for violations and to provide for appeals from regulations and decisions; and to repeal conflicting laws.

Mr. Nabors, Chairman of the Standing Committee on Corporations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment and it was read a second time and placed on the calendar, to-wit:

By Mr. Nabors (with amendment):

S. 391. To provide further for purging the lists of qualified electors; to authorize and direct boards of registrars to omit or remove from such lists the names of electors who have not voted in a county-wide election during two successive general election years; to provide that persons whose names are so omitted or removed shall not cease to be qualified electors nor be subject to reregistration but shall be subject only to reidentifying themselves before being entitled to be listed on the list of qualified electors; to place certain additional duties upon the judges of probate and upon election officials; to provide for the payment of the costs of administering this act out of the county treasuries; to provide that any person knowingly and wilfully making a false statement in connection with reidentification of electors pursuant to this act is guilty of perjury; and to prescribe penalties.

Mr. Nabors, Chairman of the Standing Committee on Corporations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Torbert:

S. 69. To designate an official pledge of allegiance to the state flag and to prescribe the manner in which such pledge shall be rendered.

RESOLUTIONS

Messrs. Torbert, Pierce and Goodwyn offered the following Senate Joint Resolution, to-wit:

S. J. R. 39. WHEREAS, the State of Alabama is in great need of more effective planning for the coordinated development of its urban and rural areas; and

WHEREAS, the State of Alabama has a critical need for pertinent information necessary for all planning decisions and for personnel knowledgeable in the latest concepts and trends in the planning process, and

WHEREAS, recognizing the needs of the State for a coordinated effort in planning, research and public service, Auburn University has established the "Center for Urban and Regional Planning," agreeing to support the Center with its many unique and varied planning activities already in existence; and

WHEREAS, the Center shall have as its purpose the focusing of the research and public service competancies and facilities of the University toward cooperation and assistance to state and local public needs in the development and review of comprehensive plans, programs, and regulations for the orderly physical growth and development of urban and rural areas, with the objective of promoting the economic, social and general welfare of such areas; and

WHEREAS, the Center will cooperate with all institutions of higher education in Alabama, and seek to combine the resources of all colleges and universities in urban and regional planning, thus rendering greater service, productivity and efficiency for the people of our State; and

WHEREAS, it is the consensus of the Legislature of Alabama that the Administration of Auburn University has done the citizens of our State a great service by establishing the Center for Urban and Regional Planning;

NOW, THEREFORE, BE IT RESOLVED by the Senate, the House of Representatives concurring, that the Board of Trustees and the Administration of Auburn University are hereby commended and congratulated for accepting the responsibility for establishing and operating the Center for Urban and Regional Planning.

BE IT FURTHER RESOLVED that the University is urged and requested to develop and expand this Center to meet the future needs of our great State.

Which was read and referred to the Standing Committee on Rules.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 82. To be known as the Alabama Consumer Credit Code, relating to certain consumer and other credit transactions and constituting the uniform consumer credit code; consolidating and revising certain aspects of the law relating to consumer and other loans, consumer and other sales of goods, services and interests in land, and consumer leases; revising the law relating to usury; regulating certain practices relating to insurance in consumer credit transactions; providing for administrative regulation of certain consumer credit transactions; making uniform the law with respect thereto; and repealing inconsistent legislation, including the following laws and parts of law:

Code of Alabama 1940: Title 9, § § 61, 65, and 66; Title 28, § 296; and Title 51, § 495 as amended by Act No. 680, General Acts of Alabama, Regular Session (1953); and Act No. 374 General Acts of Alabama, Regular

Session 1959, known as the Alabama Small Loan Act; and to amend the following laws:

Code of Alabama 1940: Title 9, § 60; and Title 5, § 120.

as amended. The question was on the amendment offered by Mr. Bailes.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 185. To provide for and authorize the organization of a public corporation in the state to be named Coosa Valley Development Authority, for the purpose of furthering the development of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary; to designate the officers and members of the board of directors of the Authority; to define and describe the duties and obligations which the Authority is authorized to undertake and discharge in connection with the proposed waterway project; to prescribe the powers of the Authority; to limit and regulate the Authority's power to enter into contracts; to authorize the Authority to delegate its duties and obligations to other public corporations, agencies and departments of the state and to prescribe the conditions upon which such a delegation shall be effective; to authorize the State Docks Department to provide and maintain suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army and the Chief of Engineers; to authorize the sale and issuance of general obligation bonds of the state in aggregate principal amount not exceeding $10,000,000, the proceeds of which are to be expended by the Authority in discharging its duties and obligations in connection with the proposed waterway project; to make provisions for the sale, execution and issuance of the said bonds; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the said bonds; to provide that the said bonds and the income therefrom shall be exempt from taxation; to authorize and direct the State Treasurer to pay the principal of and interest on the bonds from any available funds of the state; and to provide for the dissolution of the Authority.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MOTION IN WRITING

Mr. Turner offered the following Motion in Writing, to-wit:

"Motion in Writing

"I move that when the Senate adjourns today, it adjourn to meet again Friday at 9:00 A.M.

"Turner"

Which was read and referred to the Standing Committee on Rules.

MOTION IN WRITING

Mr. Albea offered the following Motion in Writing, to-wit:

"Motion in Writing

"I move that when the Senate adjourns today it adjourn until 1 P.M. on Tuesday, July 15th, 1969."

Which was read and referred to the Standing Committee on Rules.

FURTHER CONSIDERATION OF S. B. 82

The Senate proceeded to further consideration of the Bill, S. B. 82, as amended. The question was on the amendment offered by Mr. Bailes.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 37. Relative to the death of Honorable Robert R. Berryman.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Merrill, Fite, Adwell, Agee, Bank, Bassett, Beck, Berryman (W), Blanton, Bolton, Bowers, Brannan, Brassell, Brown, Burgess, Burgreen, Cameron, Cherner, Collier, Collins (C), Collins (W), Cook (Coffee), Cook (Jefferson), Crane, Crawford, Culver, Dill, Dobbs, Doss, Downing, Drake, Edington, Ellis, Fine, Foshee, Gafford, Garrett, Gloor, Graham, Grainger, Grayson, Hain, Hardin, Harper, Harris, Haygood, Headley, Higginbotham, Hill, Hobbie, Holladay, Holman, House, Jackson (F), Jackson (T), Jones, Kilgore, Laxson, Lemley, Lybrand, Lyons, Malone, Manley, Marr, Mathews, Mays, McCorquodale, McDonald, McElhaney, McLain, Meade, Meeks, Melton, Money, Nettles, Neville, Owen (Baldwin), Owens, (W), Owens (W.E.), Paulk, Pearson, Pennington, Perloff, Pruitt, Robertson, Sessions, Shumate, Slate, Smith, Snell, Springer, Starnes, Steagall, Stembridge, Stubbs, Tuck, Turnham, Waggoner, Watkins, Weeks, Williams, Wood, Wright, Yeilding, Young:

H. J. R. 72. WHEREAS we are shocked and grieved by the sudden death of our beloved and highly esteemed colleague, Representative

R. R. Berryman, who passed away yesterday as a result of a heart attack; and

WHEREAS Mr. Berryman rendered long and valuable service to the State of Alabama and particularly to his local constituents whom he represented ably and forcefully first in the Senate during the years 1959-1963 and since that time in this House. Mr. Berryman was a sound thinker, a man with the courage of his convictions and one who could be depended upon to battle for the best interests of all; and

WHEREAS Mr. Berryman who resided in Lawrence County near Moulton was a retired mail carrier and insurance man. He had a wealth of personal friends who confidently relied on his judgment and who shall long remember his many and varied acts of kindness. He was a past grand master of the Alabama Masonic Grand Lodge in which organization he labored diligently. He was an outstanding legislator and his wise counsel will be sorely missed by all of us who knew him well; and

WHEREAS Mr. Berryman is survived by his wife, Mrs. Kylie Berryman and one son, Mr. William C. Berryman; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the State of Alabama has suffered a grievous loss in the death of Representative Berryman. We extend our heartfelt sympathy to Mrs. Berryman and to his son, to whom copies of this resolution shall be sent.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, H. J. R. 72, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

BILL RECALLED AND RE-REFERRED

On motion of Mr. Nabors, unanimous consent was given for the Bill, S. B. 519, to be recalled from the Standing Committee on Corporations.

Mr. Nabors then moved that said Bill, S. B. 519, be re-referred to the Standing Committee on Finance and Taxation, which motion was adopted, and the Bill:

S. 519. To provide that certain school lunchroom managers and assistants to such managers may become members of the Teachers' Retirement System and shall receive all the benefits provided for teachers under the provisions of Code of Alabama 1940, Title 52, Chapter 14; to place the duty of collecting the employees' contributions to the Teachers' Retirement System on the county or city board of education employing such school lunchroom managers and assistants to such managers and also the duty of remitting to the secretary-treasurer of the retirement system both the employer's and the employees' contributions to the system; to provide for the payment of the employer's liability on account of matching contributions and providing for prior service of such school lunchroom managers and assistants to such managers out of funds in the Alabama Special Educational Trust Fund which have been appropriated therefor to the state department of education and distributed by such department to the several county and city boards of education employing lunchroom managers and assistants to such managers; and to make an appropriation to carry out the provisions of this Act.

Was ordered re-referred by the President and Presiding Officer of the Senate to the Standing Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 38. Relative to death of Mr. Ralph Parker, Project Engineer in the construction of the Mobile Industrial Park Road.

JOHN W. PEMBERTON,
Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 37. Mourning the death of Honorable Robert R. Berryman.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 72. Mourning the death of Representative R. R. Berryman.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to the Tuscaloosa City Civil Service Board.

Respectfully submitted,

ROBERT M. CLECKLER,
Executive Secretary.

July 10, 1969

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Walter B. Lawson, Tuscaloosa, Alabama, on the Tuscaloosa City Civil Service Board for the term expiring May 15, 1975.

Respectfully,

ALBERT P. BREWER,
Governor.

July 10, 1969

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the Tuscaloosa City Civil Service Board, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Berryman (R), Dobbs, Bank, Berryman (W), Drake, Culver, Haygood, Hill, Stubbs, Headley, Lemley, Robertson, Burgeen and Wright:

H. 276. To provide further for the collection of unpaid wages; authorizing the director of labor to take assignments in trust of certain wage claims and thereafter to settle, adjust and collect such claims, through suits at law, if necessary; to provide for and regulate such suits; to forbid an employer's exempting himself, by contract, from this Act.

Also:

By Messrs. Berryman (R) and Burgreen:

H. 385. To exempt plants and herbicides from local sales and use taxes in all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census, in which such local taxes are levied.

Also:

By Messrs. Berryman (R), Holman, Laxson, Agee, McDonald, Grainger, Shumate, Williams, Dobbs, Smith, Garrett and Berryman (W):

H. 510. Relating to eminent domain proceedings; amending Code of Alabama 1940, Title 19, Section 14 in relation to proceedings instituted by watershed conservancy districts and water management districts.

Also:

By Messrs. Berryman (R), Grainger and McDonald:

H. 511. To amend Act No. 517, S. 96, Legislature of 1957, approved September 13, 1957 (Acts of Alabama 1957, Vol. II, p. 705), an Act providing for the creation of watershed conservancy districts for developing and executing plans and programs for the conservation of water, water uses, flood prevention and control, prevention and control of erosion, flood water and sediment damages by amending Sections 1 and 9 of said Act.

Also:

By Mr. Berryman (R):

H. 824. To amend the "Alabama Water Management Act," Act No. 685, S. 364, of the Regular Session of 1965, (Acts of Alabama of 1965, Regular Sess., Vol. II, p. 1246), "An Act to provide for the establishment of works of improvement for the drainage of wet, swamp, and overflowed lands of the State, and for flood prevention or the conservation, development, utilization and disposal of water within the State"; etc., by amending Sections 5, 9 and 10 of said Act which relate to the organization of water management districts.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 276. To the Committee on Immigration, Industrial Resources and Labor.

H. B. 385. To the Committee on Finance and Taxation.

H. B.'s 510, 511 and 824. To the Committee on Judiciary.

FURTHER CONSIDERATION OF S. B. 82

The Senate proceeded to further consideration of the Bill, S. B. 82, as amended. The question was on the amendment offered by Mr. Bailes.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Motion in Writing and ordered same returned to the Senate with a favorable report, with amendment, to-wit:

Motion relative to adjournment until 9 o'clock Friday.

The Rules Committee reported the following amendment to the Motion in Writing, to-wit:

COMMITTEE AMENDMENT TO MOTION IN WRITING BY MR. TURNER

Motion in Writing by Mr. Turner is hereby amended as follows:

"I move that when the Senate adjourns today, it adjourn to meet again Friday at 10:00 a.m."

And said amendment was then adopted by the Senate.

Yeas 26; Nays 4.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Adams	Folsom	Lindsey	Pierce	
Albea	Giles	Lolley	Radney	
Bailes	Givhan	McCarley	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Hawkins	Nabors	Vacca	
Cooper	Jackson	O'Bannon		—26

Nays:

Messrs.:				
Branyon	Harris	Skidmore	Turner	
				—4

Mr. Albea offered the following substitute for the Motion in Writing, as amended, to-wit:

SUBSTITUTE FOR MOTION

"I move that when the Senate adjourns today it adjourn to meet again on Tuesday, July 15, 1969, at 1 p.m."

"Albea."

Mr. Turner moved that the substitute motion be laid on the table, which resulted in a tie vote, and therefore the motion to table was lost.

Yeas 15; Nays 15.

Yeas:

Messrs.:	Dominick	Goodwyn	Pierce	
Branyon	Giles	Harris	Stone	
Childs	Gilmore	Lolley	Torbert	
Clark	Givhan	Morrow	Turner	
				—15

Nays:

Messrs.:	Cooper	Leonard	O'Bannon
Adams	Folsom	Lindsey	Pelham
Albea	Hawkins	McCarley	Skidmore
Bailes	Jackson	Nabors	Vacca

—15

The question then recurred on the substitute motion offered by Mr. Albea, which resulted in a tie vote, and therefore the substitute motion was lost.

Yeas 15; Nays 15.

Yeas:

Messrs.:	Cooper	Leonard	O'Bannon
Adams	Folsom	Lindsey	Pelham
Albea	Hawkins	McCarley	Skidmore
Bailes	Jackson	Nabors	Vacca

—15

Nays:

Messrs.:	Dominick	Goodwyn	Pierce
Branyon	Giles	Harris	Stone
Childs	Gilmore	Lolley	Torbert
Clark	Givhan	Morrow	Turner

—15

The question was then on the Motion in Writing by Mr. Turner, as amended by the Rules Committee, which was adopted.

Yeas 17; Nays 14.

Yeas:

Messrs.:	Dominick	Harris	Pierce
Branyon	Giles	Hawkins	Stone
Childs	Gilmore	Lolley	Torbert
Clark	Givhan	Morrow	Turner
Cooper	Goodwyn		

—17

Nays:

Messrs.:	Folsom	McCarley	Radney
Adams	Jackson	Nabors	Skidmore
Albea	Leonard	O'Bannon	Vacca
Bailes	Lindsey	Pelham	

—14

FURTHER CONSIDERATION OF S. B. 82

The Senate proceeded to further consideration of the Bill, S. B. 82, as amended. The question was on the amendment offered by Mr. Bailes.

On motion of Mr. Turner, said amendment was laid on the table.

Mr. Nabors offered the following amendment to the Bill, S. B. 82, as amended, to-wit:

AMENDMENT TO S. B. 82, AS AMENDED

Amend S. B. 82 by striking Section 3.512 and thereafter renumber Sections 3.513 and 3.514 to 3.512 and 3.513 respectively.

MOTION TO RECONSIDER

Mr. Cooper moved that the Senate reconsider the vote by which the Motion in Writing by Mr. Turner, as amended, was adopted. Mr. Turner moved that the motion to reconsider be laid on the table, and the motion to table was lost.

Yeas 14; Nays 16.

Yeas:

Messrs.:	Giles	Harris	Stone	
Branyon	Gilmore	Lolley	Torbert	
Clark	Givhan	Morrow	Turner	
Dominick	Goodwyn	Pierce		—14

Nays:

Messrs.:	Cooper	Lindsey	Pelham	
Adams	Folsom	McCarley	Radney	
Albea	Hawkins	Nabors	Skidmore	
Bailes	Jackson	O'Bannon	Vacca	
Childs				—16

The question was then on the motion by Mr. Cooper to reconsider said Motion in Writing, and the motion to reconsider was adopted.

Yeas 16; Nays 13.

Yeas:

Messrs.:	Cooper	Lindsey	Pelham	
Adams	Folsom	McCarley	Radney	
Albea	Hawkins	Nabors	Skidmore	
Bailes	Jackson	O'Bannon	Vacca	
Childs				—16

Nays:

Messrs.:	Giles	Harris	Pierce	
Branyon	Gilmore	Lolley	Stone	
Clark	Givhan	Morrow	Torbert	
Dominick	Goodwyn			—13

ADJOURNMENT

At 3:25 p.m., on motion of Mr. Turner, pending further consideration of the Bill, S. B. 82, the Senate adjourned until Tuesday, July 15, 1969, at 12 o'clock Noon.

NINETEENTH LEGISLATIVE DAY

TUESDAY, JULY 15, 1969

The Senate met pursuant to adjournment, President Pro Tempore Goodwyn presiding.

PRAYER

The Session was opened with prayer by the Reverend Jack Espy, Pastor, Old Zion Baptist Church, Abbeville, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

—35

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Eighteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Eighteenth Legislative Day was approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Leonard:

S. 641. To amend Section 6 of Act No. 78, H. 64, Special Session 1967 (Acts 1967, p. 109), an act to regulate further the procedure for the abandoning the Commission form of government and the reorganization of the city government thereafter in all cities of this state which have a population of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census, with respect to the salary of the Mayor and Aldermen elected under the above act and to further establish the office of Mayor as a full-time office.

Committee on Local Legislation No. 1.

By Mr. Leonard:

S. 642. Relating to cities operating under the Commission form of government for more than thirty years having a population of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census, fixing the election and terms of office, the salaries and duties of the members of the Board of Commissioners of such cities.

Committee on Local Legislation No. 1.

By Mr. Leonard:

S. 643. To propose a constitutional amendment relative to levying additional taxes in Talladega County for public school purposes.

Committee on Local Legislation No. 1.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Torbert:

S. 644. To redivide the State into judicial circuits so as to create the Thirty-seventh Judicial Circuit, and to provide for a judge and solicitor of the newly created circuit or for a solicitor in the Fifth Circuit as the case may be.

Committee on Judiciary.

By Mr. Dominick:

S. 645. To create a state commission to be known as the State Capitol Preservation Commission; to provide for the number, term and appointment of members of the commission; to prescribe the commission's authority; and to provide that members of the commission shall serve without compensation or reimbursement of expenses.

Committee on Public Buildings and Grounds.

By Mr. Goodwyn:

S. 646. Relating to fees of justices of the peace; amending Code of Alabama 1940, Title 11, Sections 38 and 96, and Title 13, Sections 418, and 496, Forms 12 and 13, in order to prescribe different fees for justices of the peace in civil cases and certain other proceedings and to provide, in lieu of justices' fees in criminal cases, for the collection by justices of the peace of a fixed charge per case in all criminal cases, all of which must be remitted to the state, and for the payment by the state of compensation to justices of the peace for all their services pertaining to criminal cases tried in their respective courts on the basis of their case loads.

Committee on Judiciary.

By Mr. Adams:

S. 647. To provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Morrow:

S. 648. To provide for the formation and dissolution of certain limited partnerships; to prescribe the powers, authority, rights and duties of such limited partnerships and of the limited and general partners and creditors thereof; and to limit the operation of Sections 6 to 27, inclusive, of Title 43 of the Code of Alabama of 1940 to limited partnerships now in existence.

Committee on Judiciary.

By Messrs. Gilmore, Clark, Turner, Stone, Cooper, Jackson, Harris, Giles, Skidmore, Vacca, Adams, Givhan, Folsom, Radney and Morrow:

S. 649. To further amend Section 1 of Act No. 87, S. 112, Regular Session of 1961, as amended by Act No. 244, S. 143, Special Session of 1966 (Acts of 1961, Vol. 2, p. 2004, and Acts of 1966, Special Sess. p. 366) "An Act to prescribe the salary or compensation of the Commissioner of Agriculture and Industries."

Committee on Public Buildings and Grounds.

By Mr. Givhan:

S. 650. To provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in counties having a population of not less than 55,000 nor more than 60,000, according to the most recent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Givhan:

S. 651. To amend Act No. 187, H. 33, Legislature of Alabama of 1953, approved July 2, 1953, (Acts of Alabama, 1953, Vol. 1, p. 240), entitled "An Act to eradicate and prevent the spread of diseases of swine in Alabama by regulating the feeding of garbage to swine", etc.; by amending Section 4 thereof relating to annual permit fees and to require persons who feed garbage to swine to pay the cost of inspections for the purpose of determining whether the requirements of this Act are being complied with as such costs are approved by the State Board of Agriculture and Industries.

Committee on Public Health.

By Mr. Givhan:

S. 652. To amend the title and Section 1 of Act No. 4 adopted at the 1956 Second Special Session of the Legislature, as heretofore amended, the said Act, as last amended, being entitled "An Act relative to municipalities in this state having a population of not less than 3,500 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject

to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof", so as to make the said act applicable to all municipalities having a population of not exceeding 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

Committee on Municipalities and
Municipal Organizations.

By Messrs. Skidmore and McCarley:

S. 653. Relating to interest and usury; to fix the legal rates of interest and other charges on the loan or forbearance of money, goods and things in action; to provide further for remedies of debtors who have been charged usurious interest, by providing for the collection of punitive damages and of reasonable attorney's fees under certain circumstances; and further defining interest; and to amend Code of Alabama 1940, Title 9, Sections 60 and 65.

Committee on Banking.

By Messrs. McDermott and Pelham:

S. 654. To amend Section 1 of Act No. 87, H. 270, Regular Session 1955, an act relating to Mobile County and regulating the office of the Judge of Probate of said county (Acts 1955 v. 1, page 335) as last amended by an Act approved September 2, 1964, (Acts 1964 p 322).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act No. 87, H. 270, Regular Session 1955, an act relating to Mobile County and regulating the office of the Judge of Probate of said county (Acts 1955 v 1, page 235) as last amended by an Act approved September 2, 1964, (Acts 1964 p 322).

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 87, H. 270, Regular Session 1955, an act relating to Mobile County and regulating the office of the Judge of Probate of said county (Acts 1955, v. 1, p. 335) as last amended by an Act approved September 2, 1964, (Acts 1964 p 322) is hereby amended to read as follows:

"Section 1. The Judge of Probate of Mobile County may, in his discretion, create and establish such administrative divisions in his office as he may determine necessary or convenient in the efficient and expeditious performance of the functions and duties of his office. He may assign functions and duties to such divisions, and may delegate to the chiefs thereof such powers as he may deem proper. The judge may reassign functions and duties as between existing divisions. The chiefs of such divisions shall be appointed by the Judge of Probate, and shall serve at his pleasure, but shall not be related to him by blood or by marriage. The salary of the chief of any such division shall be not less than $6,000 annually and not more than $9,000.00 annually, the amount to be fixed by the Judge of Probate, to be paid in equal installments, as the salaries of other county employees are paid. The chiefs of divisions provided for in this Act shall be in addition to any other clerks or assistants heretofore provided by law or approved and designated as such by the Mobile County Personnel Board. The Probate Judge may, in his discretion, abolish or discontinue any position existing in his office, including the office of chief clerk of the Probate Court of Mobile County presently provided for by statute, upon the establishment of divisions as provided in this Act, but no such position shall be abolished without his approval."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

E. E. Koch being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register June 6, 13, 20, 27, 1969.

E. E. KOCH.

Sworn to and subscribed before me this 27 day of June 1969.

S. S. GATLIN,
Notary Public.

By Mr. McDermott:

S. 655. To alter, extend and rearrange the boundary lines of the City of Salarand, Mobile County, Alabama, so as to include with the corporate limits of said City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF MOBILE.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, extend and rearrange the boundary lines of the corporate limits of said City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Saraland, Mobile County, Alabama, be, and the same are hereby altered, extended and rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Saraland and in addition thereto the following described territory, to-wit:

Parcel 1. That parcel of land lying and being situate in Sections 15 and 16, Township 3 South, Range 1 West, Mobile County, Alabama, more particularly described as follows:

Beginning at the northwest corner of said Section 15, thence run Easterly along the north line of said section a distince of 429 feet, more or less, to a point on the East right of way line of U. S. Highway 43, which point lies on the southern boundary of the existing City Limits of the City of Saraland, Alabama; thence run South 02°-07'-45" West along the East right of way line of U. S. Highway 43 a distance of 2010 feet to a point; thence run due West a distance of 1180 feet, more or less to a point that is on the center line meander of Chickasaw Creek; thence run upstream in a Northerly and Westerly direction along the center line meander of Chickasaw Creek a distance of 8500 feet, more or less, to a point on the West boundary line of said Section 16; thence run Northerly along the West boundary of said Section 16 a distance of 940 feet, more or less, to the Northwest corner of Section 16; which point lies on the Southern boundary of the existing City Limits of the City of Saraland, Alabama; thence run Easterly along the North boundary line of said Section 16 (which is along the Southern boundary of said City Limits) a distance of 5280 feet, more or less, to the Northeast corner of Section 16, which point is also the Northwest corner of said Section 15, the initial point of beginning.

Parcel 2. That parcel of land lying and being situate in irregular Section 5 and regular Section 8, Township 3 South, Range 1 West, Mobile County, Alabama, more particularly described as follows:

Beginning at a point on the north line of said Section 5 220 feet, more or less, Westerly from the northeast corner of said Section 5, said point being also on the centerline of U. S. Interstate Highway 65 and also on the present boundary line of the City of Saraland; thence run South along the present boundary line of the City of Saraland 640 feet, more or less, to a point on the centerline of Norton Creek; thence run Southwesterly along said centerline of Norton Creek 290 feet, more or less, to a point on the Easterly right of way line of U. S. Interstate Highway 65; thence run South 33°48'38" West along said Easterly right of way line of U. S. Interstate Highway 65 1580 feet, more or less, to a point at a corner of the present present corporate, limits; thence run South 46°06'22" East along the present municipal boundary line a distance of 2047 feet more or less, to a point at a corner of the present corporate limits; thence run South 52°02'30" West along the present municipal boundary line a distance of 1166.62 feet to a point; thence run South 41°46' West along the present municipal boundary line a distance of 1402.41 feet to a point; thence run North 00°27' West along the present municipal boundary line a distance of 228.85 feet to a point; thence run

South 41°44′ West along the present municipal boundary line a distance of 414.52 feet to a point; thence run South 34°06′ West along the present municipal boundary line a distance of 2180 feet to a point on the centerline of U. S. Interstate Highway 65; thence run Northeasterly along said centerline of U. S. Interstate Highway 65 a distance of 7813.58 feet to the point of beginning.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

E. E. Koch being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City ond County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register June 19, 26, July 3, 10 1969.

E. E. KOCH.

Sworn to and subscribed before me this 10 day of July 1969.

S. S. GATLIN,
Notary Public.

By Mr. McDermott:

S. 656. To alter, extend and rearrange the boundary lines of the City of Chickasaw, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, extend and rearrange the boundary lines of the City of Chickasaw, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Chickasaw, Mobile County, Alabama, be, and the same are hereby altered, extended and rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Chickasaw and in addition thereto the following described territory, to-wit:

All that parcel of land lying and being situate in Sections 15 and 16, Township 3 South, Range 1 West, Mobile County, Alabama, more particularly described as follows:

From the Northwest corner of said Section 15, run Easterly along the North line of said Section a distance of 429 feet, more or less, to a point on the East right of way line of U. S. Highway 43, which point lies on the southern boundary of the 1968 City Limits of the City of Saraland, Alabama; thence run South 02°-07'-45" West along the East right of way line of U. S. Highway 43 a distance of 2010 feet to a point, which point is the point of beginning of the parcel herein described, thence run due West a distance of 1180 feet, more or less, to a point that is on the center line meander of Chickasaw Creek; thence run upstream in a Northerly and Westerly direction along the center line meander of Chickasaw Creek a distance of 13,850 feet, more or less, to a point which is the common point of intersection of the center line of Chickasaw Creek, the western right of way line of U. S. Interstate Highway 65 and the eastern boundary line of the City of Prichard, Alabama; thence run southeastwardly along the western right of way line of said U. S. Interstate Highway 65 a distance of 5,200 feet to the point of intersection with the existing boundary lines of the City of Chickasaw; thence run eastwardly, northwardly and eastwardly along the existing boundary line of the City of Chickasaw to a point of intersection with the west boundary line of said Section 16 3960 feet, more or less, south of the northwest corner of said Section 16; thence run South along the West boundary of said Section 16 which is along the boundary of said City Limits for a distance of 610 feet, more or less, to the point of intersection with the center line of Eight Mile Creek; thence run in a general northerly direction along and with the meander of said center line of Eight Mile Creek, which is along the boundary of said City Limits, to the point in said center line that is 1400 feet Northwardly from the South boundary of Section 16, measured at right angles to said South boundary; thence in an Easterly direction parallel to and 1400 feet from the South boundary of said Section 16, run along the boundary of said City Limits to a point on the East bank of said Eight Mile Creek; thence run along the boundary of said City Limits Northerly and Easterly along the meanderings of the said East bank of Eight Mile Creek to its junction with the West line of Chickasabogue; thence Southeasterly along and with the meanderings of said Chickasabogue, which line is the said City Limits, to its junction with the West line of U. S. Highway 43; thence continue Easterly along the South bank of said Chickasabogue for a distance of 210 feet, more or less, to its junction with the East right of way line of U. S. Highway 43; thence run North 02°-07'-45" East along the East right of way line of U. S. Highway 43 a distance of 2010 feet to the initial point of beginning on the East right of way line of U. S. Highway 43.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

E. E. Koch being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register June 19, 26, July 3, 10, 1969.

E. E. KOCH.

Sworn to and subscribed before me this 10 day of July 1969.

S. S. GATLIN,
Notary Public.

By Mr. Harris:

S. 657. Relating to Morgan County; to authorize and regulate the issuance in such county of motor vehicle license tags by mail.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Morgan County; to authorize and regulate the issuance in such county of motor vehicle license tags by mail.

Be It Enacted by the Legislature of Alabama:

Section 1. The term "licensing officer," as used in this act shall mean the judge of probate, commissioner of motor vehicle licenses or other officer charged with the duty of issuing motor vehicle licenses in Morgan County.

Section 2. On or after the first day of September each year, the licensing officer, if he elects to do so, may mail an application in the form and containing the information hereinafter provided to all owners of motor vehicles listed as such in the motor vehicle license records (including transfers) in his office or, at his option, to such owners as request that such application be mailed to them. The application shall be on a form to be provided by the state department of revenue. The application form shall contain a space for the name and address of the owner of the motor vehicle and the make, model, year, and motor number of his motor vehicle and such other information with respect thereto as the state department of revenue may prescribe. The application form shall also contain a space for the correct amount of ad valorem taxes (state, county, school districts and municipal) and the amount of the motor vehicle license tax due thereon and the issuance fee, including the mailing fee provided for herein. The application form shall also contain a space for the owner to fill in his present address, if different from that shown in the application form, and a space for his signature. The licensing officer shall cause the application form to be filled in with the name and address of the owner; the description of the motor vehicle; the license tax and fees to become due on October 1st succeeding, as shown on the license registration and transfer records in his office; and the amount of ad valorem taxes on said motor vehicle for the preceding tax year as provided by Title 51, Section 704, Code of Alabama 1940, as amended. The licensing officer shall thereupon cause the application, so filled in, to be mailed to the owner of the motor vehicle at his address shown thereon, or at the address to which such owner requests that the application form be mailed. The owner of the motor vehicle, if he is still the owner of the motor vehicle and if he desires to pay his motor vehicle ad valorem taxes and license tax and secure his motor vehicle registration tag by mail, shall sign the application form, indicating thereon any change of address, and return the same by mail together with his remittance for ad valorem taxes, license taxes, and fees as shown thereon to the director of the department. Money orders and checks for the payment of such taxes and fees shall be made payable to the licensing officer. Upon receipt of the signed application form and the remittance for the amount properly due for ad valorem taxes, license tax, and fees, the licensing officer shall thereupon mail a receipt for such taxes and fees and the license tag for his motor vehicle to the owner thereof. When an application is returned to the licensing officer, unsigned or when less than the correct amount of the taxes and fees due therefor have been paid, due to a change of address or other causes, such application shall be returned to the owner for correction or for signature. A return of

such application or remittance shall not, however, extend the time within which taxes may be paid or a tag secured. If more than the correct amount of taxes and fees is received the licensing officer shall retain the correct amount of taxes and fees and return the excess together with the tag for the motor vehicle.

Section 3. All applications for motor vehicle tags by mail and the correct amount of taxes and fees shall be received by the licensing officer on or before November 10th preceding the November 15th on which the motor vehicle license tag is due and payable, and the licensing officer shall mail such tag on or before November 14th preceding such November 15th. The licensing officer shall charge and collect a fee of one dollar for each motor vehicle license tag issued by mail, in addition to all other fees prescribed by law. Such additional fee shall be paid by the owner of the motor vehicle with his mailed request for license tags, and all such fees collected by the licensing officer shall be paid into the general fund of the county. The actual expense of mailing application forms to the owners of motor vehicles and of mailing tags as hereinabove provided shall be paid from the general fund of the county upon proper warrant signed by the licensing officer and approved by the county governing body as provided by law. All the forms necessary in the administration of this Act shall be furnished by the state department of revenue.

Section 4. The procedure authorized by this Act for the payment of ad valorem taxes and motor vehicle license taxes and the issuance of license tags is optional, additional, and alternative to the procedure now provided by law. Each owner of a motor vehicle shall continue to have the right to pay taxes and to receive his tags in person without the payment of the additional fee hereinabove provided.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20th, June 27th, July 4th, and July 11th, all in the year 1969.

B. C. SHELTON.

Sworn to and subscribed before me July 14th, 1969.

R. H. JERVIS,
Notary Public.

By Mr. Harris:

S. 658. To provide for and regulate participation of employees of Morgan County and of employees of cities in such county in certain retirement funds for county and city employees, when the compensation of such employees is paid in part by the county or in part by the city and in part from public funds from other sources; to authorize the county and cities therein to contribute to such retirement funds on the basis of such employee's total compensation from all sources; and to authorize provision for such participation to be retroactive.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for and regulate participation of employees of Morgan County and of employees of cities in such county in certain retirement funds for county and city employees, when the compensation of such employees is paid in part by the county or in part by the city and in part from public funds from other sources; to authorize the county and cities therein to contribute to such retirement funds on the basis of such employee's total compensation from all sources; and to authorize provision for such participation to be retroactive.

Be It Enacted by the Legislature of Alabama:

Section 1. In the case of an employee whose compensation is paid in part by Morgan County and in part by public funds from some other source, the governing body of Morgan County may provide for the participation in any existing retirement fund for the benefit of county employees by such employee, if he is otherwise eligible therefor, on the basis of his total compensation from all sources, rather than just the part thereof paid from county funds; provided such employee elects to participate in such fund on the basis of his entire compensation and agrees to pay and pays one-half of the required contribution thereto based on his entire compensation. The county governing body is hereby specifically authorized to make the provision for such participation retroactive to the date of the beginning of any existing retirement fund or the date of employment of such employee whichever is later.

Section 2. In the case of an employee whose compensation is paid in part by a city in Morgan County and in part by public funds from some other source, the governing body of such city may provide for participation in any existing retirement fund for the benefit of employees of such city, by such employee, if he is otherwise eligible therefor, on the basis of his total compensation from all sources rather than just the part thereof paid from city funds; provided such employee elects to participate in such fund on such basis and agrees to pay and pays one-half of the required contribution thereto based on his entire compensation. The city governing body is hereby specifically authorized to make provision for such participation retroactive to the date of the beginning of any such

existing retirement fund or the date of employment of such employee whichever is later.

Section 3. For the purposes of Section 1 of this Act any person whom the county governing body of Morgan County is authorized to employ or to approve the employment of or to fix the compensation of, but whose compensation is paid partially from county funds and partially from public funds from other sources, shall be deemed a county employee. For the purposes of Section 2 of this Act any person whom the city governing body is authorized to employ, or approve the employment of or to fix the compensation of, but whose compensation is paid partially from city funds and partially from public funds from other sources, shall be deemed a city employee.

Section 4. This Act shall not operate to authorize the governing body of Morgan County to contribute to a retirement fund for any employee for whom any city in Morgan County is contributing to a retirement fund; nor shall it operate to authorize the governing body of any city in Morgan County to contribute to any retirement fund on behalf of an employee for whom Morgan County is contributing to a retirement fund. If any employee whose compensation is paid partially from funds of Morgan County and partially from funds of any city therein is eligible to participate in a retirement fund for Morgan County employees and also in a retirement fund for employees of such city, then such employee shall elect which of these retirement funds he desires to join; and the county or the city, as the case may be, shall provide for such employee's participation in the fund of his choice, as authorized in this Act.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20th, June 27th, July 4th, and July 11th, all in the year 1969.

B. C. SHELTON.

Sworn to and subscribed before me July 14th, 1969.

R. H. JERVIS,
Notary Public.

By Mr. Harris:

S. 659. To authorize the county boards of education of Limestone and Morgan Counties and the city boards of education of any cities in such counties having independent school systems to fix and collect tuition

fees and charges from pupils attending schools under the respective jurisdictions of such boards, but who live outside the territory over which such boards of education have jurisdiction.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the county boards of education of Limestone and Morgan Counties and the city boards of education of any cities in such counties having independent school systems to fix and collect tuition fees and charges from pupils attending schools under the respective jurisdictions of such boards, but who live outside the territory over which such boards of education have jurisdiction.

Be It Enacted by the Legislature of Alabama:

Section 1. The county board of education of Limestone County and the county board of education of Morgan County are each hereby authorized to fix and collect reasonable tuition fees or charges to be paid by any pupil attending a school under the jurisdiction of such county board of education, when such pupil resides outside the county or resides within the corporate limits of a city or town within the country, which has an independent city school system.

Section 2. A city board of education of any city in Limestone County or any city in Morgan County which has an independent city school system may fix and collect reasonable tuition fees and charges to be paid by any pupil attending a school under the jurisdiction of such city board of education, when such pupil resides outside the corporate limits of the city.

Section 3. The proceeds of all fees fixed and collected as herein authorized shall be used and expended for such public school purposes as the board of education having jurisdiction of the school, where the pupil paying such tuition fees or charges is enrolled, directs.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act is cumulative and it shall be construed in pari materia with other school laws, nevertheless all laws or parts of laws which conflict with this Act are hereby repealed, and the provisions of Code of Alabama 1940, Title 52, Sections 142 and 176, insofar as they conflict with this Act are superseded by this Act.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20th, June 27th, July 4th, and July 11th, all in the year 1969.

B. C. SHELTON.

Sworn to and subscribed before me July 14th, 1969.

R. H. JERVIS,
Notary Public.

By Mr. Givhan:

S. 660. To authorize the Commissioner of Agriculture and Industries to approve and certify soil testing laboratories that make recommendations for fertilizer or plant food needs for agricultural purposes; to authorize the State Board of Agriculture and Industries to adopt rules and regulations prescribing requirements and standards for the certification of soil testing laboratories and to provide an exemption therefrom; to prohibit false or fraudulent representations concerning certification as authorized hereunder and to provide a penalty for violations.

Committee on Public Buildings and Grounds.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Radney and McCarley:

S. 601. To provide for an expense allowance for each of the Circuit Judges of all Judicial Circuits in this State composed of three (3) Counties, with two (2) Circuit Judges, and having a total population of not less than 70,000 or more than 79,999 according to the last or any subsequent Federal decennial census; and providing for the payment of such expense allowance out of the General Funds of the counties composing such Judicial Circuit.

By Mr. Harris:

S. 538. Relating to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, providing further for the expense allowances of the members of the county governing body.

By Mr. Harris (with notice and proof):

S. 638. To amend further Act No. 355, H. 757, Regular Session 1953, (Acts 1953, p. 423), which relates to the office of sheriff of Limestone County so as to delete from said act the requirement that the county furnish the sheriff a house in which to reside during his term of office.

By Mr. Harris:

S. 544. To fix expense allowances of Courts of County Commissioners, Boards of Revenue or like governing bodies of all counties having a population of not less than 57,000 nor more than 61,000 according to the most recent Federal decennial census, with retroactive effect.

By Mr. Harris:

S. 539. Relating to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, providing further for the expense allowances of the chairman of the county governing body.

By Messrs. Engel and McDermott:

S. 615. To amend further Section 187 of Title 13, Code of Alabama 1940 in relation to the appointment and compensation of Bailiffs in certain Counties classified according to population.

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite:

H. 396. Relating to the compensation of the State Superintendent of Education.

By Mr. McDermott:

S. 552. To amend Code of Alabama Title 55, Section 200, making further provisions respecting distribution of copies of the journals of the house and senate.

Mr. Cooper, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Turner:

S. 500. To provide for the regulation of the construction of water wells; to provide a system of reporting information concerning the drilling of water wells and results; to provide for the licensing of water well drillers; to provide for the promulgation and publication of rules and regulations to effectuate the provisions of this Act; to create a board to be known as the Alabama Water Well Standards Board; to provide for the qualification, appointment, term of office, and removal of board members and for the filling of vacancies; to make violation of this Act a misdemeanor, and to provide penalties therefor.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 23. Memorializing Congress to investigate the discontinuance of passenger train service in the United States.

On motion of Mr. Cooper, said Resoltuion was then concurred in and adopted by the Senate.

RESOLUTIONS

Messrs. Goodwyn and Pierce offered the following Senate Joint Resolution, to-wit:

S. J. R. 40. WHEREAS, the Congress of the United States has under consideration several proposed plans which would limit the exempt status for income tax purposes of interest paid on bonds issued by state and local governments; and

WHEREAS, among those suggestions under consideration by the Congress are proposals which would (1) include interest paid on state and local bonds in the base income for a proposed minimum income tax, (2) require allocation of deductions between taxable income and income from interest paid on state and local government bonds, (3) include interest paid on state and local bonds among income which would have tax preference limitations, and (4) provide a guaranty subsidy in exchange for the surrender of all or part of such traditional tax exemption; and

WHEREAS, it has long been considered unconstitutional for the Federal government to tax a state or local government; and

WHEREAS, any of the foregoing plans or any other plan which would directly or indirectly tax interest paid on state or local government bonds would be an impairment of such constitutional immunity; and

WHEREAS, any limitation on tax exemption of interest paid on state and local bonds would result in higher interest rates to be paid by state and local governments in their borrowing; and

WHEREAS, any increase in cost of borrowing is paid directly by the taxpayers of the community borrowing or by the users of publicly owned facilities; and

WHEREAS, any limitation on tax exemption of interest paid on state and local bonds would limit the market for such bonds; and

WHEREAS, any limitation of the market in which state and local bonds are sold would handicap state and local governments in providing funds for urgently needed public improvements; now, therefore be it

RESOLVED by the Senate, the House concurring, that the Legislature of Alabama by this resolution expresses its opposition to any plan by the Congress of the United States that would in any way limit the tax exempt status of interest paid on bonds issued by state and local governments; and be it further

RESOLVED, That upon adoption of this resolution, copies of the same be delivered forthwith to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, and each member of Congress from the State of Alabama.

On motion of Mr. Pierce, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Domick, Hawkins, Vacca, Bailes, Morrow, Childs, Gilmore offered the following Senate Joint Resolution, to-wit:

A RESOLUTION IN MEMORY OF PATROLMAN KENNETH L. SPENCER, JR.

S. J. R. 41. WHEREAS, on July 13, 1969, Kenneth L. Spencer, Jr., a patrolman of the Police Department of the City of Birmingham, born July 21, 1942, in Greenfield, Massachusetts, was on an extra duty assignment at an integrated public swimming pool at Charles A. Harris Park in Ensley, Birmingham, Alabama, for the purpose of maintaining law and order for the protection of those using the pool, particularly children and youths;

WHEREAS, Patrolman Spencer, while attempting to arrest a 23 year old Negro, with a record of convictions for robbery and assault with intent to murder, who was creating a disturbance at the pool, was attacked by the previously convicted trouble maker, and in the ensuing encounter was shot at point blank range and killed with his own service revolver.

WHEREAS, Patrolman Spencer lost his life in an effort to protect the youth and children using the pool, incidentally all Negro, and thus lost his life upholding the long tradition of the Birmingham Police Department of maintaining law and order and protecting the lives of all citizens of the community, without regard to race, color or creed;

WHEREAS, Patrolman Spencer is to be highly commended for his courageous behavior on the occasion;

WHEREAS, the Legislature deplores the conditions which contributed to the untimely death of this fine young police officer;

WHEREAS, Patrolman Spencer was survived by a wife, a young son, residents of Birmingham, and by his parents, three sisters and four brothers, all residents of the State of California.

NOW THEREFORE, BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, as follows:

1. The Legislature recognizes the heroic sacrifice of Patrolman Kenneth L. Spencer, Jr., a casualty in the never ending war against crime and violence.

2. The citizens of Alabama mourn the loss of Patrolman Spencer, deplore his untimely death, and express their deep and sincere sympathy to the members of his family.

3. The attention of the people of Alabama is called to this sacrificial service in the line of duty, another example of the dedicated work of police officers in the City of Birmingham and all over the nation, in their day to day battle to maintain law and order in the face of growing threats from criminals, hoodlums, radicals and disturbers of the peace.

4. A copy of this resolution shall be sent to the members of Patrolman Spencer's family, viz:

His wife, Mrs. Ann Spencer and his son, Edward Lee Spencer, 309—19th Street, S. W., Birmingham, Alabama.

His parents, Mr. and Mrs. Kenneth L. Spencer, Ridge Crest, California.

His sisters, Mrs. Rick Butler and Mrs. Donald Tippits of Watsonville, California, and Miss Debbie Spencer of Ridge Crest, California.

His brothers, Douglas Spencer of Watsonville, California, and Larry Spencer, George Spencer, Bobby Spencer of Ridge Crest, California.

On motion of Mr. Hawkins, the Rules were suspended and the Resolution was adopted by the Senate.

NOTICE TO AMEND RULES

Mr. Dominick offered the following Notice in Writing, to-wit:

NOTICE IN WRITING

By Mr. Dominick

NOTICE is hereby given in accordance with Senate Rule 33 that on the next legislative day, a motion will be made to amend Senate Rule 47 to read as follows:

Rule 47. There shall be eight standing committees on the following subjects:

1. Rules
2. Finance
3. Judiciary
4. Commerce and Labor
5. Education, Health and Welfare
6. State and Local Government
7. Local Legislation No. 1
8. Local Legislation No. 2

All local bills and general bills of local application relating to Jefferson County shall be referred to Local Legislation No. 2, which shall contain only members from Jefferson County.

No standing committee shall have more than fourteen members. Each member of the Senate shall be appointed to serve on not less than two nor more than three of the standing committees, exclusive of Local Legislation No. 1 and Local Legislation No. 2.

The effective date of this rule change shall be January 1, 1971.

The foregoing Notice in Writing was read and ordered spread upon the Journal.

RESOLUTIONS

Messrs. Dominick, McCarley, Bailes, Hawkins, Vacca and Radney offered the following Senate Joint Resolution, to-wit:

S. J. R. 42. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Secretary of the Senate and Clerk of the House are hereby authorized, directed and required to cause to be installed in both the Senate Chamber and the House Chamber such additional, different or improved lighting equipment as may be necessary to provide adequate lighting throughout each of such chambers; however, all such work and all equipment and supplies used in connection therewith shall be purchased on a competitive bid basis and contract therefor shall be let pursuant to the provisions of Act No. 343, H. 71 of the Regular Session of 1957, as amended and supplemented.

BE IT FURTHER RESOLVED that the expensees incurred in carrying out the provisions hereof shall not exceed fifteen thousand dollars and shall be paid out of funds appropriated for the use of the Legislature.

Which was read and referred to the Standing Committee on Rules.

Mr. Skidmore offered the following Senate Joint Resolution, to-wit:

S. J. R. 43. WHEREAS it has been learned with deep sorrow of the passing of Mr. Preston Payne of Tuscaloosa, Alabama on July 7, 1969; and

WHEREAS Mr. Payne, who was a Justice of the Peace for Beat 16, was a man well known for his fairness and many kind and thoughtful considerations of others. He leaves many friends to mourn his loss who will long remember and value his friendship; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deeply regret the passing of Mr. Payne and extend our heartfelt sympathy to the surviving members of his family, to whom copies of this resolution shall be sent.

On motion of Mr. Skidmore, the Rules were suspended and the Resolution was adopted by the Senate.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 82. To be known as the Alabama Consumer Credit Code, relating to certain consumer and other credit transactions and constituting the uniform consumer credit code; consolidating and revising certain aspects of the law relating to consumer and other loans, consumer and other sales of goods, services and interests in land, and consumer leases; revising the law relating to usury; regulating certain practices relating to insurance in consumer credit transactions; providing for administrative regulation of certain consumer credit transactions; making uniform the law with respect thereto; and repealing inconsistent legislation, including the following laws and parts of law:

Code of Alabama 1940: Title 9, § § 61, 65, and 66; Title 28, § 296; and Title 51, § 495 as amended by Act No. 680, General Acts of Alabama, Regular Session (1953); and Act No. 374 General Acts of Alabama, Regular Session 1959, known as the Alabama Small Loan Act; and to amend the following laws:

Code of Alabama 1940: Title 9, § 60; and Title 5, § 120.

as amended. The question was on the amendment offered by Mr. Nabors, which said amendment is set out at length in the Journal of the Senate for the Eighteenth Legislative Day.

And said amendment was then adopted by the Senate.

Yeas 22; Nays 1.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Bailes	Giles	McDermott	Radney	
Carr	Givhan	Morrow	Stone	
Clark	Goodwyn	Nabors	Torbert	
Cooper	Harris	O'Bannon	Turner	
Dominick	Hawkins	Pelham		—22

Nay: Mr. Skidmore —1

Mr. Radney offered the following amendment to the Bill, S. B. 82, as amended, to-wit:

AMENDMENT TO S. B. 82, AS AMENDED

In Section 3.508(2)(a)(i), strike out "30 per cent" and insert in lieu thereof "24 per cent".

Also, in Section 3.508(2)(a)(ii), strike out "20 per cent" and insert in lieu thereof "18 per cent".

Mr. Turner moved that said amendment be laid on the table, which motion was lost.

Yeas 13; Nays 17.

Yeas:

Messrs.:	Givhan	Morrow	Stone	
Branyon	Harris	O'Bannon	Torbert	
Clark	Hawkins	Skidmore	Turner	
Gilmore	Jackson			—13

Nays:

Messrs.:	Cooper	Leonard	Pelham	
Albea	Dominick	Lindsey	Pierce	
Bailes	Engel	McCarley	Radney	
Carr	Giles	Nabors	Vacca	
Childs	Goodwyn			—17

And said amendment was then adopted.

Yeas 22; Nays 8.

Yeas:

Messrs.:	Dominick	Jackson	O'Bannon	
Albea	Engel	Leonard	Pelham	
Bailes	Giles	Lindsey	Pierce	
Carr	Givhan	McCarley	Radney	
Childs	Goodwyn	Morrow	Vacca	
Cooper	Hawkins	Nabors		—22

Nays:

Messrs.:	Gilmore	Skidmore	Torbert	
Branyon	Harris	Stone	Turner	
Clark				—8

Mr. Dominick offered the following amendment to the Bill, S. B. 82, as amended, to-wit:

AMENDMENT TO S. B. 82, AS AMENDED

Senate Bill 82 is hereby amended as follows:

Add a new section "Section 3.410. CERTAIN NEGOTIABLE INSTRUMENTS PROHIBITED In a consumer loan the lender may not take a negotiable instrument other than a check as evidence of the obligation of the debtor. A holder is not in good faith if he takes a negotiable instrument with notice that it is issued in violation of this section. A holder in due course is not subject to the liabilities set forth in the provisions on the effect of viola-

tions on rights of parties (Section 5.202) and the provisions on civil actions by Administrator (Section 6.113)."

Add a new section "Section 3.411. ASSIGNEE SUBJECT TO DEFENSES With respect to a consumer loan other than a loan pursuant to a seller or lender credit card arrangement an assignee of the rights of the lender is subject to all claims and defenses of the debtor against the original lender arising, out of the loan notwithstanding an agreement to the contrary, but the assignee's liability under this section may not exceed the amount owing to the assignee at the time the claim or defense is asserted against the assignee."

Mr. Harris offered the following amendment to the Dominick amendment to the Bill, S. B. 82, as amended, to-wit:

AMENDMENT TO DOMINICK AMENDMENT TO S. B. 82, AS AMENDED.

Amend Section 3.410 by deleting the following:

"A holder is not in good faith if he takes a negotiable instrument with notice that it is issued in violation of this section."

RECESS

At 2:30 P.M., on motion of Mr. Cooper, under the provisions of S.J.R. 36, the Senate took a recess until 3:30 o'clock this afternoon.

The recess period having expired, the Senate was called to order by President Pro Tempore Goodwyn. A quorum of the Senate was present.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Collins (W):

H. J. R. 78. WHEREAS the Department of Health, Education and Welfare under the blind direction of its secretary, Mr. Robert H. Finch, is either wilfully or negligently completely destroying the Mobile County, Alabama school system by its amaurotic insistence upon busing thousands of students from one end of the county to the other for no purpose other than to achieve what it considers to be a "racial balance" of students; and

WHEREAS this insensate transportation of students without regard to the wishes of the children of either race or to those of their parents, will result not only in the closing of several good, well equipped, established Negro schools which were a source of pride to their patrons, (Central High School, Mobile County High School and the recently constructed Toulminville Jr. High School, to name a few, the closing of which is a costly and needless expense), but it will alienate sensitive relationships and feelings of mutual respect which men of good will of both races have sought to achieve under the most difficult of circumstances for over a hundred years. Judging from our past experiences with the so-called guidlines of HEW, we do not in our wildest flights of fancy, imagine that this far-removed and arrogant department or its myopic secretary knows or cares about human relationships. It is not remotely aware that social equality can never be achieved either

by legislation or by bureaucratic dictate, and it is perfectly willing to sacrifice equality in educational opportunity in order to impose its will; and

WHEREAS Mr. Finch, in an interview reported in U. S. News and World Report on March 10, 1969, answered as follows to the proposed questions. Question: "If it is determined that there is no intentional discrimination involved in an all-black school in an all-black neighborhood, is it your position that the school board should then be required to take affirmative action to break this up?"

Answer: "No. You have a number of situations, particularly in the North, where you find that. You have it here in the District of Columbia. And it seems to be that no one should expect—just in order to achieve some kind of 'salt-and-pepper' effect—that we should haul kids into a situation where, again, you may end up lessening their opportunities for learning just in order to say, 'Now there are a certain number of whites in what would otherwise be an all-black situation.' The Negroes don't want that, either."

Why does this seemingly perceptive approach apply only in Northern areas where many Negroes have recently moved and have been purposefully relegated to so-called ghettos, yet does not apply to Southern areas where Negro neighborhoods are the natural outgrowth of years of personal choice?

In the same report, to the further question: "You're not going to insist on busing to achieve racial balance—", Mr. Finch answered, "No. The law forbids it." We know of no change in the law since that date. Mr. Finch further indicated that his primary interest was in securing equal educational opportunities for all races. Does HEW suffer from tunnel blindness, and is Mr. Finch the victim of its contagion? We think not. We believe the current practices of HEW are the result of nothing more than political expediency motivated by the administration's desire to placate a vicious, communistic group dead set on destroying the public school systems throughout our land. This group is not representative of the responsible element of any minority, but it is taking every advantage of ignorance and stupidity at governmental levels in order to achieve chaos and havoc at local levels; and

WHEREAS during his recent campaign for the presidency, President Nixon expressed the thought that this is a good time to consider the possible benefits decentralization might bring, including the possible solution for the problem of public schools, welfare, poverty programs and racial equality. He said, "Power has been flowing to Washington for a third of a century, and now its time to start it flowing back—to the states, to the communities, and to the people." Now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Mr. Finch be respectfully requested to reappraise the Mobile County, Alabama public school system, which is on the brink of total destruction as the result of the invidious directives of HEW. These nationwide directives have become so increasingly contradictory, muddled and obscure as to be interpreted in some areas of the country in any manner so desired, but they have come through loud and clear as to the intendment of the complete annihilation of the Mobile County, Alabama public school system. We beseech Mr. Finch to reassess the situation in Mobile County and to change HEW directives to such extent that the education of all children may proceed in a peaceful, orderly and effective manner.

BE IT FURTHER RESOLVED that each member of Alabama's Congressional Delegation be strongly urged to use the full extent of his ability and influence to change the senseless directives of HEW in

order to save the Mobile County, Alabama public school system from total destruction, and to turn these schools back to local authorities in accordance with President Nixon's avowed intentions during campaign times.

RESOLVED FURTHER that copies of this resolution be sent to the President of the United States, to each member of Alabama's Congressional Delegation, to Mr. Finch and to the Department of Health, Education and Welfare.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pelham, the Rules were suspended and the Resolution, HJR 78, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bolton, Smith and Mathews:

H. J. R. 80. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That that strip of road in Talladega County and Clay County, designated State Highway 148, which connects State Highway 9 at Millerville, Alabama with State Highway 21 and U. S. Highway 231 at Sylacauga, Alabama, is hereby designated and shall be known as "The Bill Nichols Scenic Highway".

BE IT FURTHER RESOLVED, That the state highway department is authorized and directed to have erected and maintained at the entrances to the road appropriate signs or markers designating the road as above provided.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Leonard, the Rules were suspended and the Resolution, HJR 80, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Weeks:

H. J. R. 77. WHEREAS the Alabama Department of the American Legion, at its 51st state convention, to be held in Birmingham on July 18 through July 20, will be addressed by William C. "Bill" Doyle, the National Commander of the Legion, and Donald E. Johnson, Administrator of the U. S. Veterans Administration, and

WHEREAS Bill Doyle, a thrice-wounded, much decorated army veteran of World War II, has devoted most of his adult life to military and veteran's affairs, and is now a Brigadier General in the New Jersey National Guard and Superintendent of the Vineland State Soldiers Home, and

WHEREAS Donald E. Johnson, a Past National Commander of the Legion, is an outstanding Iowa businessman, a decorated combat veteran, and a distinguished public servant, and has brought to his vital post the ability and knowledge to oversee the many important functions of the Veteran's Administration, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That on behalf of the veterans and servicemen of Alabama we express our congratulations to the Alabama Department of the American Legion on the occasion of its 51st annual state convention and extend to William C. "Bill" Doyle and Donald E. Johnson our sincere and cordial welcome to the State of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hawkins, the Rules were suspended and the Resolution, HJR 77, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Wood:

H. J. R. 75. A RESOLUTION TO THE EXECUTIVE DEPARTMENT OF THE UNITED STATES GOVERNMENT, AND TO REPUBLICAN MEMBERS OF THE ALABAMA CONGRESSIONAL DELEGATION REQUESTING THAT THE ADMINISTRATION PLANS FOR MASSIVE CROSSTOWN BUSSING AND OTHER RADICAL SCHEMES TO DESTROY NEIGHBORHOOD SCHOOLS IN MOBILE BE RESCINDED.

WHEREAS the freedom of choice pupil assignment plan of the Mobile County Public School System has been found illegal by the U. S. Courts; and

WHEREAS the United States Department of Health, Education and Welfare has recently submitted a plan for Mobile schools calling for the massive crosstown bussing of school children; and

WHEREAS the Republican Administration, acting through Secretary of HEW, Robert Finch, is apparently committed to the complete destruction of neighborhood schools in Mobile County; and

WHEREAS the Administration plans will cost the Mobile School Board in excess of $13 million to implement them; and

WHEREAS HEW has also suggested that the citizens of Mobile pay an additional 5 mills in property tax to carry out its radical scheme, all of which is contrary to Mobile's democratic traditions.

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING THEREIN:

That the Legislative Assembly of the State of Alabama requests the Republican Administration, and particularly the President of the United States, to take immediate steps to rescind the HEW plan requiring the massive crosstown bussing of Mobile school children.

BE IT FURTHER RESOLVED, that the Republican congressmen from the State of Alabama be requested to intercede on behalf of the people of Mobile County with the Executive Department, Secretary Robert Finch and other high administration officials, with the view of cancelling the radical and punitive plan to destroy the local public schools of Mobile County.

BE IT FURTHER RESOLVED, that the Secretary of State be instructed to send copies of this resolution to the President of the United States; the Secretary of Health, Education and Welfare; Congressman Jack Edwards; Congressman William Dickinson and Congressman John H. Buchanan.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pelham, the Rules were suspended and the Resolution, HJR 75, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 31. Relative to naming the Science Building at Jefferson State Junior College the H.Y. Carson Building; the Humanities Building be named the Bethune-DeRamus Building; the Student Center be named the Eugene Fitzgerald Building.

Also:

S. J. R. 32. Relative to The Most Reverend Thomas J. Toolen.

Also:

S. J. R. 33. Relative to Mr. Curtis E. Lord, Sr., and his Wife, Mrs. Ruth Lord, being nominated as American Legion Post Golden Legionnaires.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF S. B. 82

The Senate proceeded to further consideration of the Bill, S. B. 82, as amended. The question was on the amendment offered by Mr. Harris to the Dominick amendment.

And said amendment offered by Mr. Harris was then adopted.

The question was then on the amendment, as thus amended, offered by Mr. Dominick, and on motion of Mr. Turner, said amendment, as amended, was laid on the table.

Yeas 14; Nays 9.

Yeas:

Adams	Goodwyn	Pelham	Stone	
Branyon	Harris	Pierce	Turner	
Clark	Hawkins	Radney	Vacca	
Givhan	Morrow			—14

Nays:

Messrs.:	Carr	Dominick	McCarley	
Albea	Childs	Lindsey	Nabors	
Bailes	Cooper			—9

RESOLUTIONS

Messrs. McCarley and Giles offered the following Senate Joint Resolution, to-wit:

S. J. R. 44. WHEREAS, Dr. Wernher Von Braun, numerous other Alabamians and several Alabama contractors and subcontractors have made significant contributions to the Apollo program designed shortly to place man on the moon.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That this body commends Dr. Von Braun and the many other Alabamians participating in this extraordinary undertaking; and

RESOLVED FURTHER, that the members of this body salute Blount Brothers Construction Company of Montgomery, Ingalls Iron Works, Hayes International Corporation, Rust Engineering Company, United States Steel's American Bridge Division and Southern Research Institute of Birmingham, Brown Engineering Company, International Business Machines, Heat Technology Laboratory, SPACO and Astro-Space Laboratories of Huntsville and all other Alabama contractors and subcontractors for their part in the Apollo program.

RESOLVED FURTHER, that copies of this resolution shall be sent to Dr. Von Braun and the contractors and sub-contractors listed above.

On motion of Mr. McCarley, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 45. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That when the two Houses adjourn today they adjourn to meet again on Wednesday, July 16, 1969 and that when they adjourn on Wednesday, July 16, 1969, they adjourn to meet again on Tuesday, July 22, 1969.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

REPORT OF COMMITTEE OF CONFERENCE ON S. B. 182

We, your committee of conference appointed to reconcile the disagreement between the two Houses concerning S. B. 182, have met and considered the bill and the House amendment thereto and have agreed to the following report:

1. We recommend that the Senate accept the House amendment.

2. We further recommend that the following amendments be adopted:

In Section 1, at the end thereof, add the following:

; nor shall the provisions of this section apply to examiners or other persons designated by the Superintendent of Insurance to examine or cause to be examined the domestic insurance corporations qualified in this state when the expense incurred by such persons shall be paid by or collected or received from such corporations examined under the provision of Title 28, Section 54(1).

Delete paragraph 2 of Section 1 and insert in lieu thereof the following:

No travel allowance shall be paid for a trip of less than six hours' duration. For travel which does not require an overnight stay, the traveler shall be paid a meal allowance of two dollars and seventy-five cents for a trip of from six to twelve hours' duration and for travel in excess of twelve hours duration the traveler shall be paid one such meal allowance and one-fourth of the per diem allowance.

Also, in Section 4 of S. B. 182 delete from the bill the repealer reference to Title 28, Section 47(8) and (9).

3. We recommend further that the bill as thus amended be passed by both Houses.

Respectfully submitted,

Conferees on the part of the Senate
J. J. PIERCE
JACK GILES
ALTON L. TURNER

Conferees on the part of the House
JAMES W. CAMERON
HUGH D. MERRILL
CURTIS SPRINGER

CONFERENCE REPORT

On motion of Mr. Pierce, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the House amendment to the Bill:

S. 182. To provide for and regulate the payment of expenses of state officers and employees and persons traveling on official business for the State or any of its departments, institutions, boards, bureaus, commissions, councils, committees, and other like agencies.

Yeas 27; Nays 1.

Yeas:

Messrs.:	Cooper	Harris	Morrow
Adams	Dominick	Hawkins	Nabors
Albea	Engel	Jackson	Pelham
Bailes	Folsom	Leonard	Pierce
Carr	Giles	Lindsey	Radney
Childs	Givhan	McCarley	Turner
Clark	Goodwyn	McDermott	Vacca

—27

Nay: Mr. Branyon —1

And said Bill, S. B. 182, as thus amended by the Report of the Committee on Conference, was again read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Oden	
Adams	Folsom	Leonard	Pelham	
Albea	Giles	Lindsey	Pierce	
Bailes	Givhan	McCarley	Radney	
Carr	Goodwyn	McDermott	Torbert	
Childs	Harris	Morrow	Turner	
Clark	Hawkins	Nabors	Vacca	
Cooper				—28

Nays: —0

FURTHER CONSIDERATION OF S. B. 82

The Senate proceeded to further consideration of the Bill, S. B. 82, as amended. Mr. Nabors offered the following amendment to the Bill, S. B. 82, as amended, to-wit:

AMENDMENT TO 82, AS AMENDED

Amend Senate Bill 82 as follows:

Amend Section 2.201 (2) (a) (ii) by striking "20 per cent" and substituting in lieu thereof "18 per cent".

Amend Section 2.201 (2) (a) (iii) by striking "15 per cent" and substituting in lieu thereof "10 per cent".

Amend Section 2.201 (2) (b) by striking "18 per cent" and substituting in lieu thereof "12 per cent".

Amend Section 2.207 (3) by striking the first sentence and substituting in lieu thereof the following: "The charge may not exceed 1 per cent of the amount pursuant to subsection (2)."

Amend Section 3.201 (1) by striking "18 per cent" and substituting in lieu thereof "12 per cent".

Amend Section 3.201 (4) (a) by striking "18 per cent" and "1½ per cent" and substituting in lieu thereof "12 per cent" and "1 per cent".

Amend Section 3.201 (4) (b) by striking "18 per cent" and "1½ per cent" and substituting in lieu thereof "12 per cent" and "1 per cent".

Amend Section 3.508 (2) (a) (iii) by striking "15 per cent" and substituting in lieu thereof "10 per cent".

Amend Section 3.508 (2) (b) by striking "18 per cent" and substituting in lieu thereof "12 per cent".

Amend Section 2.605 by deleting same.

Amend Section 3.605 by deleting same.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Watkins, Gafford, Bowers, Jackson (T), Crane, Waggoner, Kilgore, Money, Gloor, Sessions, Dill, Ellis, Yeilding, House, Cook (Jefferson), Weeks, Downing, Cherner, Meeks and Holman:

H. J. R. 81.

A RESOLUTION IN MEMORY OF PATROLMAN KENNETH L. SPENCER, JR.

WHEREAS, on July 13, 1969, Kenneth L. Spencer, Jr., a patrolman of the Police Department of the City of Birmingham, born July 21, 1942, in Greenfield, Massachusetts, was on an extra duty assignment at an integrated public swimming pool at Charles A. Harris Park in Ensley, Birmingham, Alabama, for the purpose of maintaining law and order for the protection of those using the pool, particularly children and youths;

WHEREAS, Patrolman Spencer, while attempting to arrest a 23 year old Negro, with a record of convictions for robbery and assault with intent to murder, who was creating a disturbance at the pool, was attacked by the previously convicted trouble maker, and in the ensuing encounter was shot at point blank range and killed with his own service revolver.

WHEREAS, Patrolman Spencer lost his life in an effort to protect the youth and children using the pool, incidentally all Negro, and thus lost his life upholding the long tradition of the Birmingham Police Department of maintaining law and order and protecting the lives of all citizens of the community, without regard to race, color or creed;

WHEREAS, Patrolman Spencer is to be highly commended for his courageous behavior on the occasion;

WHEREAS, the Legislature deplores the conditions which contributed to the untimely death of this fine young police officer;

WHEREAS, Patrolman Spencer was survived by a wife, a young son, residents of Birmingham, and by his parents, three sisters and four brothers, all residents of the State of California.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, as follows:

1. The Legislature recognizes the heroic sacrifice of Patrolman Kenneth L. Spencer, Jr., a casualty in the never ending war against crime and violence.

2. The citizens of Alabama mourn the loss of Patrolman Spencer, deplore his untimely death, and express their deep and sincere sympathy to the members of his family.

3. The attention of the people of Alabama is called to this sacrificial service in the line of duty, another example of the dedicated work of police officers in the City of Birmingham and all over the nation, in their day to day battle to maintain law and order in the face of growing threats from criminals, hoodlums, radicals and disturbers of the peace.

4. A copy of this resolution shall be sent to the members of Patrolman Spencer's family, viz:

His wife, Mrs. Ann Spencer and his son, Edward Lee Spencer, 309 —19th Street, S. W., Birmingham, Alabama.

His parents, Mr. and Mrs. Kenneth L. Spencer, Ridge Crest, California.

His sisters, Mrs. Rick Butler and Mrs. Donald Tippits of Watsonville, California, and Miss Debbie Spencer of Ridge Crest, California.

His brothers, Douglas Spencer of Watsonville, California, and Larry Spencer, George Spencer, Bobby Spencer of Ridge Crest, California.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hawkins, the Rules were suspended and the Resolution, HJR 81, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Ellis, Collins (C), Laxson, McLain, Grainger, Jones and Pennington:

H. J. R. 82. WHEREAS, The Marshall Space Flight Center is located in Huntsville, Alabama, the former capital of our state, and all the people of the nation recognize the tremendous importance of the role it has played in space exploration; and

WHEREAS, Huntsville, Alabama is the natural home of one of the leading space scientists of the world—Dr. Werhner Von Braun, of whom all Alabamians take great pride in his accomplishments in the peaceful exploration of space; and

WHEREAS, Native Alabamians may point with pride to the part each has played in making possible this most historic step of man in all his five thousand years of recorded, civilized history, and all of us can also be proud of our new Space Museum in the Space City which the State has built to preserve and record for all time these momentous first steps in the exploration of the last frontier; and

WHEREAS, Our great state is celebrating its sesquicentennial year of existence and in all of its 150 years of glorious history probably no more exciting step will have ever been taken than will be the placing of the Alabama flag on the moon by Astronauts Neil A. Armstrong, Michael Collins, and Edwin E. Aldrin, Jr.

NOW THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That the Alabama Legislature in regular session wish the Astronauts God speed on their historic voyage to the moon and acclaim their heroic deed, and

BE IT FURTHER RESOLVED That the Alabama Legislature do hereby extend an invitation to, and would be honored and very proud to have, Dr. Werhner Von Braun and Astronauts Armstrong, Collins and Aldrin, address us in a joint session, and through mass media, all other Alabamians.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, HJR 82, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 191. To authorize any bank situated in the City of Cullman, or having an authorized office or place of business therein, to establish, operate and maintain branch banks or additional offices or places of business in the City of Cullman.

Also:

S. 219. To alter, rearrange and fix the boundaries and corporate limits of the town of Daviston in Tallapoosa County, annexing certain territory to the town.

Also:

S. 375. Relating to counties having populations of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

Also:

S. 425. To alter, rearrange, redefine, and extend the boundary lines and corporate limits of the Town of Camp Hill, in Tallapoosa County, Alabama.

Also:

S. 467. Relating to Tallapoosa County; to abolish the office of county treasurer and to provide for the selection of a county depository, to repeal Act No. 83, H. 266, Regular Session 1935 (Local Acts 1935, p. 19) which creates the office of county treasurer for Tallapoosa County.

Also:

S. 469. To alter, rearrange and extend the boundary of the City of Alexander City, Alabama, so as to include within the corporate limits thereof certain additional territory located in Section 22, Township 23 North, Range 21 East, Tallapoosa County, Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 263. To authorize the circuit clerk of Autauga County to appoint two deputies and to provide for their compensation, repealing Act No. 318, H. 829, approved July 28, 1949 (Acts 1949, p. 449).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McCarley, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 263, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 263

Amend Senate Bill No. 263 as follows:

In caption, strike the words "two deputies" and insert in lieu thereof the following: "one deputy clerk".

Strike Section 1 in its entirety and insert in lieu thereof the following:

"Section 1. The clerk of the circuit court of Autauga County, Alabama, may appoint one deputy clerk to serve under his direction and at his pleasure. The deputy clerk so appointed shall be paid an annual salary of not less than $3,600, and not more than $4,800, which shall be fixed and determined by the Board of Revenue and Control, Court of County Commissioners, or other like Governing Body of the County and shall be paid in equal monthly installments, out of the Highway and Traffic Fund or the General Fund of the County upon proper claim being made."

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Radney	
Branyon	Givhan	McCarley	Skidmore	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 1. To amend Act No. 326, H. 775, Regular Session 1963 (Acts 1963, p. 809), relating to judicial circuits composed of only one county and having a population of not less than 60,500 nor more than 65,000 inhabitants; which authorizes the appointment of a deputy circuit solicitor; so as to provide further for the compensation of such solicitor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. O'Bannon, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 1, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO SUBSTITUTE FOR S. B. 1

In Section 1, second paragraph, third sentence thereof insert immediately before the words, "twelve thousand dollars," the following words: a maximum of.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Adams	Folsom	Lolley	Pierce	
Albea	Giles	McCarley	Stone	
Bailes	Harris	McDermott	Torbert	
Branyon	Hawkins	Morrow	Turner	
Carr	Jackson	O'Bannon	Vacca	
Childs	Leonard			—25

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 77. Expressing congratulations to the Alabama Department of the American Legion on the occasion of its 51st annual state convention.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

FURTHER CONSIDERATION OF S. B. 82

The Senate proceeded to further consideration of the Bill, S. B. 82, as amended. The question was on the amendment offered by Mr. Nabors.

ADJOURNMENT

At 4:57 P.M., on motion of Mr. Turner, pending further consideration of the Bill, S. B. 82, and in accordance with Joint Resolution heretofore adopted by the Senate, the Senate adjourned until Wednesday, July 16, 1969, at 12 o'clock Noon.

TWENTIETH LEGISLATIVE DAY

WEDNESDAY, JULY 16, 1969

The Senate met pursuant to adjournment, President Pro Tempore Goodwyn presiding.

PRAYER

The Session was opened with prayer by the Reverend Paul C. Howle, Minister, Cloverdale Christian Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

—35

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Nineteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Nineteenth Legislative Day was approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Giles:

S. 661. To provide for casting of absentee ballots in primary, general, special and municipal elections; to define who is eligible to cast such ballots; to provide for application for, casting, counting and preserving of such ballots; to provide for compensation of officials charged with duties in connection therewith; to prescribe penalties for violation of the article; and to repeal all laws relating to the casting of absentee ballots including Act No. 424, 1949, Regular Session, page 601; Act No. 655, 1959, Regular Session, page 1585; Act No. 77, Extra Session, 1961, page 1954; Act No. 74, Extra Session, 1961, page 2134; Act No. 183, First Extra Session, 1964, page 250; Act No. 795, Regular Session, 1965, page 1494; Act No. 54, First Extra Session, 1965, page 72; Act No. 117, Second Extra Session, 1965, page 159; Act No. 176, Extra Session, 1967, which acts include all those sections now in Article 4A, Title 17, Code of Alabama, 1940, as amended.

Committee on Privileges and Elections.

By Mr. Giles:

S. 662. Prohibiting any political party chairman or other party official from certifying for any ballot the name of any person who has not authorized his name to be so certified; making violation of the Act a misdemeanor and setting the penalties therefor.

Committee on Privileges and Elections.

By Mr. Giles:

S. 663. To amend Section 347, Title 17, Code of Alabama, 1940, as amended, to provide that the maximum qualifying fee for candidates shall be in relation to the number of years in the term of the office which he seeks.

Committee on Privileges and Elections.

By Mr. Turner:

S. 664. To make a supplemental appropriation to the Department of Public Safety.

Committee on Finance and Taxation.

By Mr. Pierce:

S. 665. Relating to photography; defining and regulating the practice thereof; providing certificates; creating a photographers licensing board; prohibiting certain misrepresentation and deceptions in the industry; and providing penalties.

Committee on Public Buildings and Grounds.

By Mr. Engel:

S. 666. To provide further for the admission of the mentally retarded to certain state hospitals and facilities.

Committee on Public Health.

By Mr. Engel:

S. 667. To amend Section 89 of Act No. 414, S. 261, Regular Session 1959 (Acts 1959, p. 1055, at p. 1099), known as the "Alabama Business Corporation Act," so as to provide further for contracts of corporations not qualified to do business in this state.

Committee on Judiciary.

By Mr. Engel:

S. 668. To amend Code of Alabama 1940, Title 51, Section 342, relating to contracts of foreign corporations, so as to provide for subsequent validation of certain of such contracts which were void when made.

Committee on Judiciary.

By Mr. Radney:

S. 669. To alter, rearrange and extend the boundary lines and corporate limits of the City of Tallassee, in Tallapoosa County, so as to annex certain territory into the City of Tallassee, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
TALLAPOOSA COUNTY

Notice is hereby given that the following bill in substance will be introduced in the Legislature of Alabama at any special or regular session thereof during 1969 and application of its enforcement into law will be made, to-wit:

A BILL
TO BE ENACTED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Tallassee, in Tallapoosa County, so as to annex certain territory into the City of Tallasee, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Tallassee, Alabama, in Tallapoosa County, Alabama, be and the same are hereby altered, rearranged and extended to as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

PARCEL 1

Begin at the North East Corner of Section 19, Township 18 North, Range 22 East and run South 18 degrees 54 minutes West for a distance of 998.2 feet; thence run South 34 degrees 30 minutes West for a distance of 226.5 feet to the South right-of-way of Alabama State Highway 14 and the point of beginning of the property to be described; thence run South 34 degrees 30 minutes West for a distance of 184.4 feet; thence run South 10 degrees 16 minutes East for a distance of 200.0 feet; thence run South 2 degrees 46 minutes East for a distance of 238.5 feet; thence run South 36 degrees 07 minutes East for a distance of 213.9 feet and the West Right-of-Way of South Central Boulevard, (which is also the Tuskegee Highway); thence run Southerly along the West Right-of-Way of the Tuskegee Highway to the intersection with the South Line of Section 19; thence run West along the South Line of Section 19 for a distance of 800.0 feet; more or less, to the East bank of the Tallapoosa River; thence run Northerly along the East bank of the Tallapoosa River to the South Line of the Alabama Power Company property known as Parcel No. 1 as established by survey designated "Lower

Tallassee Development Map" prepared by Alabama Power Company on July 22, 1930 and recorded in the Office of the Judge of Probate of Tallapoosa County, Alabama; thence run North 86 degrees 50 minutes East for a distance of 233.0 feet; thence run North 55 degrees 30 minutes East for a distance of 235.0 feet, more or less, to the South Right-of-Way of Alabama State Highway 14 and the point of beginning. All lying in Section 19, Township 18 North Range 22 East, Tallapoosa County, Alabama.

PARCEL 2

Begin at the North East Corner of Section 30, Township 18 North, range 22 East and run West along the North Line of Section 30 for a distance of 1600.0 feet and the point of beginning of the property to be described; thence run South 00 degrees 30 minutes West for a distance of 452.0 feet; thence run South 2 degrees 20 minutes West for a distance of 250.0 feet; thence run South 6 degrees 40 minutes West for a distance of 1,003.0 feet; thence run South 16 degrees 00 minutes East for a distance of 509.0 feet; thence run South 26 degrees 40 minutes East for a distance of 1,067.0 feet; thence run South 11 degrees 30 minutes East for a distance of 250.0 feet; thence run South 21 degrees 00 minutes West for a distance of 573.0 feet; thence run West for a distance of 312.0 feet, more or less, to the East bank of the Tallapoosa River; thence Northerly along the East bank of the Tallapoosa River to the intersection of the North Line of Section 30; thence run East along the North Line of Section 30 for a distance of 120.0 feet, more or less, to the point of beginning. All lying in Section 30, Township 18 North, Range 22 East, Tallapoosa County, Alabama.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, Ray Pruitt, Business Manager, of the Dadeville Record published weekly at Dadeville, Alabama do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated June 19, 1969, and ending with the issue dated July 10, 1969.

RAY PRUITT,
Publisher.

Subscribed and sworn before me this 11th day of July, 1969.

JEAN DAVIS,
Notary Public.

By Mr. Radney:

S. 670. To alter, rearrange and extend the boundary lines and corporate limits of the City of Tallasee, in Elmore County, so as to annex certain territory into the City of Tallassee, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGALS

STATE OF ALABAMA
ELMORE COUNTY

Notice is hereby given that the following bill in substance will be introduced in the Legislature of Alabama at any special or regular session thereof during 1969 and application for its enforcement into law will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Tallassee, in Elmore County, so as to annex certain territory into the City of Tallassee, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Tallassee, Alabama, in Elmore County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

PARCEL 1

Begin at the South West Corner of Section 30, Township 18 North, Range 22 East, Elmore County, Alabama, as the point of beginning of the property to be described; thence run East along the South line of said Section 30 for a distance of 2,800.0 feet, more or less, to the West bank of the Tallapoosa River; thence run Northerly along the West bank of the Tallapoosa River to the intersection of the North line of Section 30; thence run West along the North line of Section 30 to the North West Corner of Section 30; thence run South along the West line of Section 30 to the South West Corner and the point of beginning. All lying in Section 30, Township 18 North, Range 22 East, Elmore County, Alabama.

PARCEL 2

Begin at the North West Corner of Section 19, Township 18 North, Range 22 East; thence run South 60 degrees 48 minutes East for a distance of 126.8 feet; thence run North 78 degrees 37 minutes East for a distance of 142.1 feet; thence run North 74 degrees 36 minutes East for a distance of 687.4 feet; thence run South 80 degrees 20 minutes East for a distance of 396.6 feet; thence run South 75 degrees 49 minutes East for a distance of 1085.1 feet; thence run South 75 degrees 01 minutes East for a distance of 626.5 feet; thence run North 88 degrees 42 minutes East for a distance of 320.5 feet; thence run North 26 degrees 38 minutes East for a distance of 39.5 feet; thence run South 61 degrees 32 minutes East for a distance of 64.6 feet and to the boundary of Alabama Power Company property and the point of beginning of the property to be described; thence run South 3 degrees 30 minutes West for a distance of 50.0 feet; thence run North 86 degrees 29 minutes West for a distance of 257.3 feet; thence run South 1 degrees 36 minutes West for a distance of 148.7 feet; thence run South 86 degrees 29 minutes East for a distance of 300.0 feet; thence run South 29 degrees 38 minutes East for a distance of 180.35 feet; thence run North 75 degrees 3

minutes East for a distance of 20.0 feet; thence run South 14 degrees 56 minutes East for a distance of 313.98 feet; thence run South 5 degrees 27 minutes West for a distance of 52.5 feet; thence run South 82 degrees 47 minutes East for a distance of 141.58 feet; thence run North 70 degrees 14 minutes East for a distance of 120.0 feet, more or less, to the West bank of the Tallapoosa River; thence run Southerly along the West bank of the Tallapoosa River to its intersection with the South line of Section 19; thence run West along said South line of Section 19 for a distance of 990.0 feet, more or less, to the intersection of Alabama State Highway 299; thence Northerly along the East right-of-way of Alabama State Highway 299 for a distance of 990.0 feet, more or less; thence run South 46 degrees 16 minutes East for a distance of 47.2 feet; thence run North 61 degrees 09 minutes East for a distance of 962.2 feet; thence run North 10 degrees 23 minutes East for a distance of 857.5 feet; thence run North 9 degrees 20 minutes East for a distance of 296.9 feet; thence run North 89 degrees 36 minutes East for a distance of 107.1 feet; thence run North 7 degrees 30 minutes East for a distance of 777.3 feet; thence run North 23 degrees 15 minutes East for a distance of 232.0 feet to the North boundary of Mill Street; thence run North 84 degrees 53 minutes West for a distance of 129.5 feet; thence run North 84 degrees 20 minutes West for a distance of 430.5 feet; thence run North 78 degrees 22 minutes West for a distance of 95.0 feet; thence run North 51 degrees 40 minutes West for a distance of 83.0 feet; thence run North 37 degrees 07 minutes West for a distance of 260.0 feet; thence run North 24 degrees 25 minutes West for a distance of 58.0 feet; thence run North 17 degrees 57 minutes East for a distance of 62.0 feet; thence run North 47 degrees 44 minutes East for a distance of 51.0 feet; thence run North 71 degrees 14 minutes East for a distance of 57.0 feet; thence run North 85 degrees 52 minutes East for a distance of 67.0 feet; thence run North 83 degrees 46 minutes East for a distance of 147.0 feet; thence run North 86 degrees 46 minutes East for a distance of 86.0 feet; thence run North 62 degrees 07 minutes East for a distance of 63.0 feet; thence run North 33 degrees 46 minutes East for a distance of 83.0 feet; thence run North 63 degrees 46 minutes West for a distance of 32.7 feet; thence run North 26 degrees 14 minutes East for a distance of 198.9 feet; thence run North 66 degrees 24 minutes East for a distance of 52.3 feet; thence run North 18 degrees 40 minutes East for a distance of 537.0 feet; thence run South 76 degrees 28 minutes East for a distance of 126.5 feet; thence run South 22 degrees 42 minutes West for a distance of 136.2 feet; thence run South 02 degrees 53 minutes West for a distance of 260.0 feet and the point of beginning. All lying in Section 19, Township 18 North, Range 22 East, Elmore County, Alabama.

PARCEL 3

Begin at the South East Corner of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of Section 24, Township 18 North, Range 21 East, Elmore County, Alabama, as the point of beginning of the property to be described; thence run West along said Quarter Section Line to the intersection of the West line of Section 24; thence run North to the South West Corner of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of Section 24; thence run East to the South East Corner of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of Section 24; thence run North to the North East Corner of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of Section 24; thence run West to the North West Corner of Section 24; thence run North to the North West Corner of the Southwest Quarter (SW¼) of Section 13; thence run East to the North

East Corner of the Southwest Quarter (SW¼) of Section 13 and the West boundary of Azalea Drive; thence Southerly along the West boundary of Azalea Drive to the intersection with the North right-of-way of Friendship Road and which is also the point of intersection with the East line of the West Half (W½) of the Northeast Quarter (NE¼) of Section 24; thence run South along the East one-half Section Line of Northeast Quarter (NE¼) of Section 24 to the South East Corner of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of Section 24 and the point of beginning.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA
ELMORE COUNTY

Before me the undersigned authority personally appeared Herve Charest, Jr., who by me first being duly sworn deposes and says that he is the publisher of The Tallassee Tribune, weekly newspaper published at Tallassee in Elmore County, Alabama, and that the attached notice (style case) A Bill To Be Introduced In The Legislature Of Alabama was published in said newspaper for 4 successive weeks to-wit: June 19, 26, July 3, 10, 1969.

THE TALLASSEE TRIBUNE
HERVE CHAREST, Jr.,
Publisher.

Sworn to and subscribed before me this 15th day of July, 1969.

CATHERINE K. CHAREST,
Notary Public.

My commission expires 12/16/69.

By Messrs. Clark, Adams, Givhan, Stone, Turner, Lindsey, Oden and Torbert:

S. 671. To require all departments, bureaus, boards, commissions and agencies of the state government to keep all state funds on deposit in the state treasury; to expressly prohibit the opening or maintaining of bank accounts for the deposit of state funds by such departments, bureaus, boards, commissions and agencies of the state government and to provide for certain exceptions to such act.

Committee on Banking.

By Mr. Harris:

S. 672. To amend Code of Alabama 1940, Title 37, Section 557, which relates to the payment of municipal improvement assessments, in relation to the rate of interest to be charged when such assessments are paid in installments or are delinquent.

Committee on Municipalities and
Municipal Organizations.

By Mr. Harris:

S. 673. To adopt the Uniform Deceptive Trade Practices Act; to define deceptive trade practices; and to prescribe civil remedies whereby persons injured by deceptive trade practices may be given relief.

Committee on Judiciary.

By Messrs. Jackson, Goodwyn, McCarley, Leonard and Radney:

S. 674. To regulate further the office of sheriff in this State; to prescribe the annual salaries of sheriffs of the several counties of the state classified on a population basis; to provide for operation of the sheriff's office on a salary basis; to provide for and regulate the collection of sheriffs' fees and the payment thereof into the county treasury; to repeal conflicting laws, general, local and special.

Committee on Public Buildings and Grounds.

By Mr. McCarley:

S. 675. To provide that all contracts of insurance or policies of insurance issued or delivered in this State shall cover and include the services of all Licenses of all branches of the Healing Arts in the State of Alabama.

Committee on Insurance.

By Mr. Jackson:

S. 676. To require the teaching of Bible history in all public high schools in counties having populations of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census; to provide for instructors of such courses; to repeal conflicting laws and specifically to repeal and supersede conflicting provisions of Sections 322 and 408 of Title 52, Code of Alabama 1940, as amended to the extent of such conflict as to all counties to which this act applies.

Committee on Local Legislation No. 1.

By Mr. McDermott:

S. 677. Relating to counties having populations of not less than 300,000 and not more than 500,000; authorizing municipalities in such counties to contract with any public corporation operating a water system or water and sewer system or sewer system within the municipality to collect or assist in the collection of the municipal garbage service charge.

Committee on Local Legislation No. 1.

REPORTS OF COMMITTEES

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Turner (with substitute):

S. 339. Relating to the blocking of crossings of railroad tracks and public streets, roads and highways by railroad trains or railroad equipment; making it unlawful for any railroad company to order, allow, or permit its trains or equipment to block such streets, roads or highways for more than a specified period of time; requiring such trains or equipment to be cut or so moved as to clear any crossing of any public road, street or highway upon the approach of any emergency vehicle as herein defined; providing for the assessment of fines and penalties against such railroad company for violation thereof; providing that railroad companies shall be responsible for acts of its agents or employees; providing an effective date.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Goodwyn:

S. 530. To create a State Land Survey Authority; to provide for its membership; to provide for the travel and other expenses of the members of the Authority; to provide for a chairman for the Authority and to provide time for meetings of the Authority; to provide for the functions and duties of the Authority; to provide for a Chief State Land Surveyor and to provide for the acquisition by the Authority of lands or interest therein; to provide for public land survey corners and to make it a misdemeanor to destroy same; to provide for extension of a triangulation and levelling net of precision; to authorize the State Attorney General to represent the Authority; to provide for a location of the headquarters of the Authority; to give certain personnel of the Authority the right to enter upon private property for certain purposes and to provide for payment for any damages that might be incurred while on said property, and to provide that said personnel shall be immune from arrests for trespassing in performing their legal duty on said property; to provide for the furnishing of certain information to the Authority or the Chief Land Surveyor by certain public officials; to provide for the furnishing of records to other public agencies and to provide for the admission for certain records of the Authority in court proceedings; to provide that certain employees be registered land surveyors and providing that no employee of the Authority shall engage in private land surveying or consultation; to grant the Authority the right to produce and sell maps and other data and providing for the deposit of such funds; to grant to the Authority power to enter into contracts; to provide for a fee to be paid for filing or recording any instrument conveying real estate or any interest therein and for such fee to be forwarded to the State Treasurer and to provide for the disposition of such funds by the State Treasurer, and further providing that all funds paid out by the Treasurer shall be budgeted and allotted; and further providing that any funds in the State Land Survey Fund in excess of one hundred thousand dollars ($100,000.00) at the end of any state fiscal year shall be transferred into the General Fund of the State.

By Mr. Skidmore:

S. 598. To amend Act No. 177, H. 315, of the Regular Session of 1947 (Gen. Acts, 1947, p. 62), which provides for the taxing as a part of the cost in certain cases of a mileage charge for the sheriff for executing the writ of arrest or other process and excepts certain counties, classified by population, from the operation of such Act; amending the title and Section 4 of such Act in relation to the classification of the counties excepted.

By Mr. Skidmore:

S. 600. To amend Act No. 647, H. 437 of the Regular Session of 1959 (Acts, 1959, p. 1562) which creates judgeship number three in the Sixth Judicial Circuit and provides that circuit judge number three shall be ex-officio judge of all courts in such circuit as to juvenile and domestic relations matters, cases, hearings and proceedings and shall have exclusive jurisdiction thereof, amending such act in order to provide for appointing a judge for such matters, cases, hearings or proceedings when circuit judge number three is absent or for any reason incompetent to sit for such matter, case, hearing or proceeding or when the public welfare will be served by his not sitting therein.

By Mr. Marr:

H. 110. To amend Section 3 of Act No. 856, S. 242, Regular Session 1961, entitled "An Act to suppress traffic in obscene publications, defining terms, prescribing penalties, and providing enforcement procedures against residents or nonresidents."

By Mr. Pelham:

S. 604. To amend Section 4 of Act No. 175, S. B. 280, Regular Session, 1951 (Acts of Alabama, 1951, Volume I, p. 416, et seq), an act providing for the incorporation of municipal water, sewer, gas and electric boards and systems.

By Mr. Pelham:

S. 605. To amend Sections 4 and 11 of Act No. 762, S. B. 515, Regular Session, 1951 (Acts of Alabama, 1951, Volume II, p. 1319 et seq), an act providing for and authorizing the incorporation of gas districts in the State of Alabama, so as to provide that a gas district may sell and convey a gas system or systems to utility companies or corporations regulated by the Alabama Public Service Commission, and likewise at foreclosure proceedings.

By Mr. Pelham:

S. 606. To amend Title 37, Section 376, Code of Alabama, 1940, so as to define "electric light plant", "gas plant", and "waterworks plant".

By Mr. Pelham:

S. 607. To amend Section 6 of Act No. 154, H. B. 308, Regular Session, 1947 (General Acts of Alabama, 1947, p. 52), an act authorizing water works boards to acquire, maintain and operate gas plants and systems, so as to authorize the sale of a municipal gas plant or system to utility companies or corporations regulated by the Alabama Public Service Commission.

By Mr. Springer:

H. 311. Relating to the destruction of public records; authorizing the state treasurer to destroy certain cancelled state warrants and the journals pertaining to such warrants; and repealing Act No. 589, H. 141, of the Regular Session of 1957 (Acts of 1957, p. 826) and all other conflicting laws.

By Mr. Springer:

H. 315. To provide for the voiding of state warrants outstanding at the close of the fiscal year next following the fiscal year in which they were issued, and for the barring of the claims based thereon.

By Mr. Springer:

H. 316. To amend Code of Alabama 1940, Title 55, Section 223, which relates to the records of the state treasurer relative to cancelled coupons on coupon bonds issued by the State so as to require and regulate the making an auditing of certain records relative to coupon bonds and the destruction of certain cancelled bonds.

By Messrs. Gilmore, Oden, Pierce, Nabors, Turner, Engel, Cooper, Torbert, Clark, Vacca, Childs, Branyon, Folsom, Bailes, Pelham, McDermott, Harris, Jackson, Carr, Albea, McCarley, Leonard and Giles:

S. 45. To prohibit the exposing of certain obscene and harmful materials to minors; to define terms, and to prescribe penalties.

By Mr. House:

H. 459. Relating to public contracts; providing that a public officer shall not designate the insurance company, agent or broker for insurance in public buildings or construction contracts.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Bailes, Morrow and Vacca (with amendment):

S. 563. To provide that certain communications between clergymen and their communicants shall be privileged; defining terms; and providing for the application of this act.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Givhan:

S. 650. To provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in counties having a population of not less than 55,000 nor more than 60,000, according to the most recent federal decennial census.

By Mr. Clark (with notice and proof):

S. 449. To alter, rearrange and extend the boundaries of the Town of Blue Springs, so as to include within the corporate limits thereof certain additional territory in portions of Section 13, 14, 23, and 24, Township 8 North, Range 25 East, Barbour County, Alabama.

By Mr. Clark (with notice and proof):

S. 448. To alter, rearrange and extend the boundaries of the Town of Blue Springs, so as to include within the corporate limits thereof certain additional territory in portions of Sections 14, 15, 22, and 23, Township 8 North, Range 25 East, Barbour County, Alabama.

By Mr. Leonard:

S. 641. To amend Section 6 of Act No. 78, H. 64, Special Session 1967 (Acts 1967, p. 109), an act to regulate further the procedure for the abandoning the Commission form of government and the reorganization of the city government thereafter in all cities of this state which have a population of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census, with respect to the salary of the Mayor and Aldermen elected under the above act and to further establish the office of Mayor as a full-time office.

By Mr. Leonard:

S. 642. Relating to cities operating under the commission form of government for more than thirty years having a population of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census, fixing the election and terms of office, the salaries and duties of the members of the Board of Commissioners of such cities.

By Mr. Leonard:

S. 643. To propose a constitutional amendment relative to levying additional taxes in Talladega County for public school purposes.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Adams:

S. 647. To provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census.

By Messrs. McDermott and Pelham (with notice and proof):

S. 654. To amend Section 1 of Act No. 87, H. 270, Regular Session 1955, an act relating to Mobile County and regulating the office of the Judge of Probate of said county (Acts 1955 v. 1, page 335) as last amended by an Act approved September 2, 1964, (Acts 1964 p. 322).

By Mr. McDermott (with notice and proof):

S. 656. To alter, extend and rearrange the boundary lines of the City of Chickasaw, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

By Mr. McDermott (with notice and proof):

S. 655. To alter, extend and rearrange the boundary lines of the City of Saraland, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Gilmore, Clark, Turner, Stone, Cooper, Jackson, Harris, Giles, Skidmore, Vacca, Adams, Givhan, Folsom, Radney and Morrow:

S. 649. To further amend Section 1 of Act No. 87, S. 112, Regular Session of 1961, as amended by Act No. 244, S. 143, Special Session of 1966 (Acts of 1961, Vol. 2, p. 2004, and Acts of 1966, Special Sess. p. 366) "An Act to prescribe the salary or compensation of the Commissioner of Agriculture and Industries."

By Mr. Turner:

S. 528. To amend Act No. 551, H. 321, Regular Session 1967 (Acts 1967, Vol. II, p. 1300), an act to establish the Alabama Council on the Arts to change the name of said Council to the Alabama State Council on the Arts and Humanities and to exempt certain employees of the Council from the provisions of the state merit system and to provide for the duties and powers of such Council.

By Mr. Dominick:

S. 645. To create a state commission to be known as the State Capitol Preservation Commission; to provide for the number, term and appointment of members of the commission; to prescribe the commission's authority; and to provide that members of the commission shall serve without compensation or reimbursement of expenses.

Mr. Cooper, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute and it was read a second time and placed on the calendar, to-wit:

By Mr. Engel (with substitute):

S. 251. To authorize the creation of public corporations as authorities for the study, control, abatement and prevention of water, air, or general environmental pollution; to allow the construction, acquisition and ownership by such corporations of facilities for this purpose; to prescribe the powers, duties, composition and financing of such corporations; to provide for cooperation with political subdivisions and other agencies and instrumentalities of the state, and to exempt such authorities from taxation.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Albea:

S. 640. Relating to cities having populations of more than thirty thousand and not exceeding forty-five thousand according to the most recent federal decennial census; to validate certain elections purportedly held pursuant to Act No. 404, S. 430 of the Regular Session of 1953 (Acts, 1953, p. 472), and to amend said Act No. 404, which authorizes, provides for and regulates the adoption of the council-manager form of government by any such city, so as to provide further for notice required of the election of the first council after a city elects this form of government, and to provide for holding and conducting the elections of the first and subsequent city councils under this Act.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Steagall:

H. 901. To validate public hospital associations for public hospital purposes attempted to be organized under Act No. 211 adopted at the 1945 Regular Session of the Legislation of Alabama, as originally adopted or amended, where the governing body of a county, a city, or both, has or have authorized the incorporation of such association but where the attempted incorporation is invalid or irregular because of some irregularity in the procedure for incorporation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 901. To the Committee on Public Buildings and Grounds.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 45. Relative to adjournment of the two Houses.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Drake:

H. J. R. 83. WHEREAS the National Bass Tournament was held at the magnificent 54,000 acre Lake Eufaula on July 10, 11 and 12; and

WHEREAS this outstanding sporting event is organized by the Bass Anglers Sportsman Society, Ray Scott, President; and

WHEREAS the mayor, other city officials and chamber of commerce of Eufaula were instrumental in sponsoring and promoting the National Bass Tournament; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING, That this body takes great delight in noting the resounding success of this tournament; and hails the performance of the Bass Anglers Sportsman Society and, in particular, the outstanding contribution of its president, Ray Scott of Montgomery, in organizing and promoting the Society; and

RESOLVED FURTHER that the members of this body applaud the efforts of the mayor, other city officials and the members of the chamber of commerce of Eufaula in conducting this tournament.

RESOLVED ALSO, that copies of this resolution shall be sent to the President of the Bass Anglers Sportsman Society, Ray Scott, to its Secretary, and to the mayor of Eufaula.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Goodwyn, the Rules were suspended and the Resolution, H. J. R. 83, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MOTION IN WRITING

Mr. Dominick offered the following Motion in Writing, to-wit:

MOTION IN WRITING

By Mr. Dominick

In accordance with the Notice in Writing filed on the last legislative day, I now move that Senate Rule 47 be amended as follows:

Rule 47. There shall be eight standing committees on the following subjects:

1. Rules
2. Finance
3. Judiciary
4. Commerce and Labor
5. Education, Health and Welfare
6. State and Local Government
7. Local Legislation No. 1
8. Local Legislation No. 2

All local bills and general bills of local application relating to Jefferson County shall be referred to Local Legislation No. 2, which shall contain only members from Jefferson County.

No standing committee shall have more than fourteen members. Each member of the Senate shall be appointed to serve on not less than two nor more than three of the standing committees, exclusive of Local Legislation No. 1 and Local Legislation No. 2.

The effective date of this rule change shall be January 1, 1971.

Which was read and referred to the Standing Committee on Rules.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 191. To authorize any bank situated in the City of Cullman, or having an authorized office or place of business therein, to establish, operate and maintain branch banks or additional offices or places of business in the City of Cullman.

Also:

S. 219. To alter, rearrange and fix the boundaries and corporate limits of the town of Daviston in Tallapoosa County, annexing certain territory to the town.

Also:

S. 375. Relating to counties having populations of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

Also:

S. 425. To alter, rearrange, redefine, and extend the boundary lines and corporate limits of the Town of Camp Hill, in Tallapoosa County, Alabama.

Also:

S. 467. Relating to Tallapoosa County; to abolish the office of county treasurer and to provide for the selection of a county depository, to repeal Act No. 83, H. 266, Regular Session 1935 (Local Acts 1935, p. 19) which creates the office of county treasurer for Tallapoosa County.

Also:

S. 469. To alter, rearrange and extend the boundary of the City of Alexander City, Alabama, so as to include within the corporate limits thereof certain additional territory located in Section 22, Township 23 North, Range 21 East, Tallapoosa County, Alabama.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 1. To amend Act No. 326, H. 775, Regular Session 1963 (Acts 1963, p. 809), relating to judicial circuits composed of only one county and having a population of not less than 60,500 nor more than 65,000 inhabitants; which authorizes the appointment of a deputy circuit solicitor; so as to provide further for the compensation of such solicitor.

Also:

S. 263. To authorize the circuit clerk of Autauga County to appoint one deputy clerk and to provide for their compensation, repealing Act No. 318, H. 829, approved July 28, 1949 (Acts 1949, p. 449).

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 38. Mourning the death of Mr. Ralph Parker.

Also:

S. J. R. 31. Naming the Science and Humanities Building and the Student Center at Jefferson State Junior College.

Also:

S. J. R. 32. Commending Archbishop Thomas J. Toolen.

Also:

S. J. R. 33. Congratulating Mr. and Mrs. Curtis E. Lord, Sr. of Prichard, Alabama.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Owen (Baldwin) and Brannan:

H. J. R. 73. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the classroom building at Yancey State Junior College in Bay Minette be named, known and designated as Ernest Stone Hall in recognition of the great contributions to the field of education of State Superintendent of Education, Dr. Ernest Stone.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Jackson, the Rules were suspended and the Resolution, H. J. R. 73, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 82. To be known as the Alabama Consumer Credit Code, relating to certain consumer and other credit transactions and constituting the uniform consumer credit code; consolidating and revising certain aspects of the law relating to consumer and other loans, consumer and other sales of goods, services and interests in land, and consumer leases; revising the law relating to usury; regulating certain practices relating to insurance in consumer credit transactions; providing for administrative regulation of certain consumer credit transactions; making uniform the law with respect thereto; and repealing inconsistent legislation, including the following laws and parts of law:

Code of Alabama 1940: Title 9, § § 61, 65, and 66; Title 28, § 296; and Title 51, § 495 as amended by Act No. 680, General Acts of Alabama, Regular Session (1953); and Act No. 374 General Acts of Alabama, Regular Session 1959, known as the Alabama Small Loan Act; and to amend the following laws:

Code of Alabama 1940: Title 9, § 60; and Title 5, § 120.

as amended. The question was on the amendment offered by Mr. Nabors, which said amendment is set out at length in the Journal of the Senate for the Nineteenth Legislative Day.

On motion of Mr. Turner, said amendment was laid on the table.

Mr. Skidmore moved that further consideration of the Bill, S. B. 82, as amended, be postponed until the Twenty-second Legislative Day. Mr. Turner moved as a substitute motion that further consideration of the Bill, S. B. 82, as amended, be indefinitely postponed, which was adopted, and further consideration of the Bill, S. B. 82, as amended, was indefinitely postponed by the Senate.

Yeas 31; Nays 3.

Yeas:

Messrs.:	Cooper	Jackson	O'Bannon
Adams	Engel	Leonard	Oden
Albea	Folsom	Lindsey	Pelham
Bailes	Giles	Lolley	Pierce
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Turner
Clark	Hawkins	Nabors	Vacca

—31

Nays:

Messrs.:	Dominick	Harris	Radney

—3

The Bill:

H. 431. Relating to counties having population of not less than 25,400 nor more than 25,600 according to the most recent federal decennial census; providing for payment of in county travel expenses for county commissioners, payable from the county treasury.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	Nabors	Torbert	
Carr	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25
Nays:				—0

The Bill:

H. 322. To alter, redefine and reduce the corporate limits of the City of Leeds so as to exclude therefrom any and all territory lying within the boundaries of Shelby County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Radney	
Branyon	Givhan	McCarley	Skidmore	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25
Nays:				—0

The Bill:

H. 321. To provide that no municipality whose corporate limits do not lie within or extend into Shelby County shall have or exercise police jurisdiction or powers in said county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Adams	Folsom	McCarley	Pierce	
Albea	Giles	Morrow	Radney	
Bailes	Gilmore	Nabors	Skidmore	
Branyon	Givhan	O'Bannon	Stone	
Carr	Goodwyn	Oden	Torbert	
Childs	Leonard			—25
Nays:				—0

The Bill:

H. 687. Relating to Autauga County; further regulating the places of meetings of the board of registrars.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	McCarley	Pelham	
Adams	Engel	McDermott	Pierce	
Branyon	Givhan	Morrow	Stone	
Carr	Goodwyn	Nabors	Torbert	
Childs	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25

Nays: —0

The Bill:

H. 689. Relating to Marengo County; to provide that the corporate authorities of any city therein, and the Board of Revenue, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Board of Revenue may unite in the establishment of such service, making it common for the use of the city and of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Radney	
Branyon	Givhan	McDermott	Skidmore	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lindsey			—25

Nays: —0

The Bill:

H. 555. Relating to St. Clair County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Springville in said county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McCarley	Skidmore	
Carr	Gilmore	McDermott	Stone	
Clark	Givhan	Morrow	Torbert	
Cooper	Goodwyn			—25

Nays: —0

The Bill:

S. 547. Relating to all counties having populations of not less than 55,000 nor more than 60,000 according to the most recent federal decennial census; authorizing the employment of a deputy clerk for the jury commission and providing for his duties, tenure and compensation.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Adams	Folsom	Lindsey	Pierce	
Albea	Giles	Lolley	Radney	
Childs	Givhan	Nabors	Skidmore	
Clark	Harris	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

H. 669. Relating to counties having populations of not less than 26,000 and not more than 27,000; providing an additional mileage allowance for the members of the governing body of such counties to be used in attending certain conventions.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Harris	Morrow	
Adams	Engel	Leonard	Nabors	
Albea	Folsom	Lindsey	Pelham	
Bailes	Giles	Lolley	Radney	
Branyon	Gilmore	McCarley	Stone	
Carr	Givhan	McDermott	Torbert	
Childs	Goodwyn			—25

Nays: —0

CALENDAR BILLS POSTPONED TO DAY CERTAIN

On motion of Mr. Leonard, further consideration of the Bills, S. B.'s 531 and 532, was postponed until the Twenty-Fifth Legislative Day.

BILLS ON THIRD READING RESUMED

The Bill:

H. 756. To apply only to counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Albea	Folsom	Lolley	Pierce	
Carr	Giles	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 701. To abolish the public highway and traffic fund in the county treasuries of all counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; and to provide for the transfer of any monies therein to the general fund in each of such counties and for the deposit in such general fund of such counties of all monies dedicated to construction, maintenance and repair of roads and bridges or to traffic control, hereafter accruing to such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Adams	Folsom	Lolley	Radney	
Albea	Giles	McCarley	Skidmore	
Bailes	Gilmore	McDermott	Stone	
Branyon	Givhan	Oden	Torbert	
Clark	Goodwyn	Pelham	Turner	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 595. To provide further for the selection of textbooks and instructional materials for use in the public schools in all counties having populations of not less than 36,600 nor more than 37,600, according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Adams	Folsom	Lindsey	Pierce	
Albea	Giles	Lolley	Radney	
Bailes	Gilmore	Nabors	Stone	
Clark	Givhan	O'Bannon	Turner	
Cooper	Goodwyn	Oden	Vacca	
Dominick	Harris			—25

Nays: —0

The Bill:

H. 702. Relating to all counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; further regulating the number and compensation of deputies and other employees of the sheriffs in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Morrow	
Adams	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	Lolley	Radney	
Branyon	Gilmore	McCarley	Skidmore	
Carr	Harris	McDermott	Stone	
Clark	Hawkins			—25
Nays:				—0

The Bill:

H. 700. Relating to counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; to provide further for expense allowances to the members and clerk of the county governing bodies in such counties.

was taken up.

Mr. Clark offered the following amendment to the Bill, H. B. 700, to-wit:

AMENDMENT TO H. B. 700

In Section 1, strike out the period at the end of the first sentence and insert in lieu thereof the following: within any such county.

Also, in said Section 1, strike out the period at the end of the next to the last sentence in said section and insert in lieu thereof the following: for necessary duties within any such county.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Radney	
Bailes	Givhan	McDermott	Skidmore	
Branyon	Goodwyn	Morrow	Stone	
Carr	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Dominick	Jackson	Oden	Vacca	
Giles	Lolley			—25
Nays:				—0

And said Bill, H. B. 700, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Radney	
Bailes	Givhan	McDermott	Skidmore	
Branyon	Goodwyn	Morrow	Stone	
Carr	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Dominick	Jackson	Oden	Vacca	
Giles	Lolley			—25
Nays:				—0

The Bill:

H. 703. Relating to cities having populations of not less than 20,500 nor more than 28,000; providing an expense allowance for members of the governing body of such cities.

was taken up.

Mr. Clark offered the following amendment to the Bill, H. B. 703, to-wit:

AMENDMENT TO H. B. 703

In Section 1, insert immediately after the first sentence the following: Such allowances shall be for expenses incurred in the performance of such officers' regular duties within any such city.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Leonard	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McCarley	Skidmore	
Branyon	Gilmore	McDermott	Stone	
Carr	Givhan	Morrow	Torbert	
Childs	Goodwyn			—25
Nays:				—0

And said Bill, H. B. 703, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Leonard	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McCarley	Skidmore	
Branyon	Gilmore	McDermott	Stone	
Carr	Givhan	Morrow	Torbert	
Childs	Goodwyn			—25
Nays:				—0

The Bill:

H. 766. Relating to the compensation of members of boards of directors of certain municipal corporations in cities having populations of not less than 20,500 nor more than 28,000, according to the most recent federal decennial census; amending further Section 3 of Act No. 175, S. 280, Regular Session of 1951 (Acts 1951, p. 416).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McCarley	Skidmore	
Branyon	Gilmore	McDermott	Stone	
Carr	Givhan	Oden	Torbert	
Clark	Jackson			—25

Nays: —0

The Bill:

S. 535. To provide further for the compensation of the county solicitor or deputy district attorney in all counties having populations of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	McCarley	Pelham	
Adams	Givhan	McDermott	Skidmore	
Albea	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Jackson	O'Bannon	Turner	
Cooper	Lindsey	Oden	Vacca	
Dominick	Lolley			—25

Nays: —0

The Bill:

S. 573. To amend the title and Sections 1, 2, 3, 4 and 5 of Act No. 481, H. 872, Regular Session 1961 (Acts 1961, p. 540) which act authorizes the establishment of a recreation board in all cities having a population of as many as 100,000 and not more than 200,000 people according to the last or any subsequent decennial federal census and provides for the appointment, duties, powers and authority of said board and that of any such municipality with respect to furnishing recreational facilities independently or jointly with the county or city or county school board, so as to include parks within the purview of this act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	O'Bannon	
Bailes	Engel	Lolley	Oden	
Branyon	Folsom	McCarley	Pierce	
Carr	Giles	McDermott	Skidmore	
Childs	Gilmore	Morrow	Stone	
Clark	Goodwyn	Nabors	Torbert	
Cooper	Hawkins			—25

Nays: —0

The Bill:

S. 572. To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Pelham	
Adams	Folsom	Leonard	Pierce	
Albea	Gilmore	Lindsey	Radney	
Carr	Givhan	McDermott	Torbert	
Childs	Goodwyn	Morrow	Turner	
Clark	Harris	Oden	Vacca	
Cooper	Hawkins			—25

Nays: —0

The Bill:

H. 26. To alter or rearrange the boundary lines of the City of Thomasville, Alabama, so as to include in the corporate limits of said city certain territory not now included, and to exclude from the City of Thomasville, Alabama, certain territory now included in the corporate limits of said city.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 26, to-wit:

AMENDMENT TO HOUSE BILL 26

Amend the title to said bill by deleting the period after the words "limits of said city", and adding thereto the following:

"and to grant to persons, firms or corporations supplying electricity within said annexed area certain rights and privileges."

And amend Section 2 of said bill by deleting said Section 2, and substituting therefor the following sections:

"Section 2. Provided, however, that those persons, firms or corporations now supplying electricity within the annexed area shall be granted by the City of Thomasville, Alabama, the right and privilege to construct and operate their lines and other facilities necessary for the transmission and distribution

of electricity over, under, along, upon and across the streets, alleys, thoroughfares and public places in said annexed area.

"Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

On motion of Mr. Cooper, said amendment was laid on the table.

And said Bill, H. B. 26, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Leonard	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McCarley	Skidmore	
Branyon	Gilmore	McDermott	Stone	
Carr	Givhan	Morrow	Torbert	
Childs	Goodwyn			—25
Nays:				—0

The Bill:

H. 199. To amend Act No. 606, H. 737, Regular Session 1967, an act regulating the practice of barbering and the operation of barber shops and barber schools in counties having populations of not less than 100,000 nor more than 115,000 (Acts 1967, v. 2, p. 1395 et seq.)

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Adams	Engel	McDermott	Pierce	
Albea	Givhan	Morrow	Skidmore	
Carr	Goodwyn	Nabors	Torbert	
Childs	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25
Nays:				—0

The Bill:

S. 582. To propose a constitutional amendment relative to levying additional taxes in Baldwin County for public school purposes.

Was read a third time at length as required by the Constitution and passed, and ordered sent forwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Oden	
Adams	Engel	Lindsey	Pelham	
Albea	Folsom	Lolley	Pierce	
Bailes	Giles	McCarley	Radney	
Branyon	Gilmore	Nabors	Skidmore	
Clark	Goodwyn	O'Bannon	Stone	
Cooper	Harris			—25
Nays:				—0

The Bill:

H. 763. Relating to counties having populations of not less than 15,300 nor more than 15,400, according to the most recent federal decennial census; to provide for the disposition of guns, nets, and other equipment taken or found by police officers in game and fish cases in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	Lindsey	Oden	
Branyon	Gilmore	McCarley	Skidmore	
Carr	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

H. 769. To fix expense allowances of Courts of County Commissioners, Boards of Revenue or like governing bodies of all Counties having a population of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census by providing for expenses for travel out of the county. This Act is in addition to all existing allowances.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Adams	Folsom	McCarley	Pierce	
Albea	Giles	Morrow	Stone	
Bailes	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 773. Relating to judicial procedure in all counties having populations of not less than 76,000 nor more than 96,000: To authorize and provide for the judge, in his discretion, to excuse veniremen summoned for the week in which a person or persons indicted for a caiptal felony is to be tried, prior to the call of the case and without the defendant or his attorney being present.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Oden	
Albea	Giles	McCarley	Skidmore	
Branyon	Gilmore	McDermott	Stone	
Carr	Givhan	Morrow	Torbert	
Childs	Goodwyn	Nabors	Turner	
Clark	Harris	O'Bannon	Vacca	
Cooper	Hawkins			—25
Nays:				—0

The Bill:

H. 787. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the territory of Etowah County exclusive of Gadsden and Attalla.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Oden	
Adams	Folsom	Lindsey	Pelham	
Albea	Giles	Lolley	Pierce	
Bailes	Gilmore	McCarley	Radney	
Branyon	Givhan	McDermott	Skidmore	
Carr	Goodwyn	Nabors	Stone	
Childs	Harris			—25
Nays:				—0

The Bill:

H. 786. To repeal Act No. 157, S. 276 of the Regular Session of 1965 (Acts, 1965, Regular Session, p. 227), entitled "An Act further regulating commercial fishing in public waters in all counties having populations of not less than 96,000 nor more than 106,000, so as to prohibit the use of gill or trammel nets or hoop or fyke nets in commercial fishing operations in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Pelham	
Branyon	Givhan	Lolley	Pierce	
Carr	Goodwyn	McCarley	Stone	
Childs	Harris	McDermott	Torbert	
Clark	Hawkins	Nabors	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25
Nays:				—0

The Bill:

S. 624. Relating to counties having a population of not less than 100,000 nor more than 115,000; providing expense allowances for certain officers in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham
Adams	Folsom	Lolley	Pierce
Albea	Giles	Morrow	Skidmore
Bailes	Harris	Nabors	Torbert
Clark	Hawkins	O'Bannon	Turner
Cooper	Jackson	Oden	Vacca
Dominick	Leonard		

—25

Nays: —0

The Bill:

S. 625. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 100,000 nor more than 115,000.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Leonard	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	Lolley	Skidmore
Bailes	Giles	McCarley	Torbert
Branyon	Gilmore	McDermott	Turner
Carr	Givhan	Morrow	Vacca
Childs	Goodwyn		

—25

Nays: —0

The Bill:

S. 623. Relating to counties having a population of not less than 100,000, nor more than 115,000; fixing the compensation of certain officers in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Jackson	Oden
Albea	Dominick	McCarley	Skidmore
Bailes	Gilmore	McDermott	Stone
Branyon	Givhan	Morrow	Torbert
Carr	Goodwyn	Nabors	Turner
Childs	Harris	O'Bannon	Vacca
Clark	Hawkins		

—25

Nays: —0

The Bill:

S. 602. To permit the governing body of any county having a population of not less than 65,000 nor more than 95,000, or any municipality within such county to establish within the county, or within the municipality, ambulance service; to permit the county governing body to unite with any municipality within the county in the establishment of such service, making it common for the use of the county and of the municipality.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Oden	
Adams	Folsom	McCarley	Pelham	
Albea	Giles	McDermott	Pierce	
Bailes	Gilmore	Morrow	Radney	
Branyon	Givhan	Nabors	Skidmore	
Carr	Goodwyn	O'Bannon	Stone	
Childs	Leonard			—25

Nays: —0

The Bill:

S. 612. To create the Inferior Court of Pike County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Pike County, the County Court of Pike County, and all criminal and quasi criminal jurisdiction of Justices of the Peace in said county.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Radney	
Adams	Givhan	McDermott	Skidmore	
Albea	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 699. To create and establish a Court of record with county wide limited jurisdiction of criminal cases and civil actions at law and in equity, to be called the Houston County Court; in lieu of, and to replace the Law and Equity Court of Houston County; to abolish the Law and Equity Court of Houston County; to provide for the jurisdiction of said Houston County Court and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished Court to the newly established Court, and to repeal Act No. 210, H. 479, Regular Session of the Legislature of Alabama of 1965 at Page 269, as amended, and all conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Adams	Engel	Lindsey	Pierce	
Branyon	Folsom	Lolley	Stone	
Carr	Giles	Nabors	Torbert	
Childs	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25

Nays: —0

The Bill:

S. 537. To create and establish a Court of record with county wide limited jurisdiction of criminal cases and civil actions at law and in equity, to be called the Houston County Court; in lieu of, and to replace the Law and Equity Court of Houston County; to abolish the Law and Equity Court of Houston County; to provide for the jurisdiction of said Houston County Court and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished Court to the newly established Court, and to repeal Act No. 210, H. 479, Regular Session of the Legislature of Alabama of 1965 at Page 269, as amended, and all conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Oden	
Adams	Gilmore	McCarley	Skidmore	
Carr	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

S. 611. To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Pelham	
Adams	Gilmore	Lindsey	Pierce	
Albea	Givhan	Lolley	Radney	
Bailes	Goodwyn	McCarley	Skidmore	
Branyon	Harris	McDermott	Stone	
Carr	Hawkins	Morrow	Torbert	
Childs	Jackson			—25

Nays: —0

The Bill:

S. 610. To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Oden	
Adams	Folsom	Leonard	Pelham	
Albea	Gilmore	McDermott	Stone	
Carr	Givhan	Morrow	Torbert	
Childs	Goodwyn	Nabors	Turner	
Clark	Harris	O'Bannon	Vacca	
Cooper	Hawkins			—25

Nays: —0

The Bill:

H. 698. To amend Section 6 of Act No. 217, H. 275, approved August 1, 1961, (Acts of Legislature, Regular Session of 1961, Volume 1, pp. 244, et seq.), An Act "To provide for and prescribe the form of government of all cities having populations of not less than 30,000 nor more than 31,500."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	McDermott	Radney	
Adams	Givhan	Morrow	Skidmore	
Carr	Goodwyn	Nabors	Stone	
Childs	Harris	O'Bannon	Torbert	
Clark	Hawkins	Oden	Turner	
Cooper	Jackson	Pierce	Vacca	
Dominick	McCarley			—25

Nays: —0

The Bill:

S. 596. To provide for the compensation of the register of the circuit court of any county having a population of not less than 47,000 nor more than 49,000, according to the last or any subsequent federal decennial census; to repeal conflicting general, local or special laws.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Stone	
Bailes	Goodwyn	Nabors	Torbert	
Carr	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25

Nays: —0

The Bill:

S. 618. To amend Section 8 of Act No. 432, H. 937 approved August 7, 1961 to regulate the Office of Sheriff in counties of more than 150,000 population and less than 300,000 population according to the last Federal census or any subsequent Federal census; to authorize the Sheriff to appoint an attorney to advise or represent him; to fix the compensation of said attorney to be paid out of the general fund of the County by the Board of Revenue or like governing body; and providing when this Act shall become effective.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	McCarley	Pierce	
Branyon	Folsom	McDermott	Skidmore	
Carr	Giles	Morrow	Stone	
Childs	Gilmore	Nabors	Torbert	
Clark	Goodwyn	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

H. 465. To authorize any public building corporation heretofore or hereafter organized pursuant to the provisions of Act No. 682 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore or hereafter amended, in any county having a population of 600,000 or more according to the last or any subsequent federal decennial census, to enter into a contract or lease agreement with the county which authorized the organization of such public corporation and any municipality therein, whereunder the obligations of each may be joint or several, or with such county or any such municipality separately, or with any department or agency of either, or with the State of Alabama, or any department or agency thereof, for a maximum period of 20 years.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Oden	
Adams	Folsom	Lindsey	Pelham	
Bailes	Gilmore	Lolley	Pierce	
Carr	Goodwyn	McCarley	Radney	
Childs	Harris	Morrow	Skidmore	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

H. 467. To provide a comprehensive system of law applicable to any county in this state having a population of 500,000 or more according to the last or any subsequent federal census, defining the powers of any such county to construct improvements consisting of sanitary sewers and sewer facilities with respect to subdivisions located outside the corporate limits of any municipality in such counties; to provide a method for the assessment of the cost of any such improvement against the property abutting on, or drained, served, or benefited by such improvement; to require the adoption of a resolution describing the improvement and the property abutting on, or the area to be drained, served or benefited by such improvement; to require the filing of plans and specifications for such improvement; to provide for publication and mailing of notice of the adoption of the said resolution; to provide for a public hearing on such improvement; to provide for payment of the cost of the improvement; to provide for public advertisement for bids for the construction of the improvement unless the county shall perform the work or provide materials from its own resources; to provide for supervision of the work; to provide for the levy of betterment taxes and assessments on the property benefited by any improvement; to provide for the preparation of a list of owners and parcels to be assessed, and publication of notice of such list; to provide for any defects or errors therein; to provide for a hearing on the proposed assessments and making the same final; to provide for the establishment of a lien on the property subject to the assessments and for the priority thereof; to provide for the reduction or abatement of certain assessments; to authorize the transfer and assignment of such liens, and for the enforcement thereof; to specify other provisions with respect to such liens; to provide a system for appeals from the making of such final assessment; to provide a system for payment of all such assessments and for default in such payments; to authorize lands subject to such liens to be sold in satisfaction thereof and a system for the redemption of such lands after any such sale; to establish a procedure for the termination of any right of redemption; to provide a system for the issuance of notes or bonds to finance any such improvements; to exempt any securities issued hereunder from Chapter 6 of Title 12 of the Code of Alabama of 1940, as heretofore or hereafter amended; to specify requirements with respect to any such notes or bonds; to require public sale thereof with certain exceptions; to provide for the refunding thereof under specified circumstances; to provide that any such bond shall be incontestable after a specified period; to provide that all such bonds and notes and the interest thereon shall be exempt from taxation; to provide for the replacement of lost, destroyed or mutilated bonds and for the refunding of outstanding bonds; to establish sinking fund accounts for the payment of bonds and for the grouping of improvements for a single bond issue; to specify the use of funds received from the said assessments and to establish liability on offi-

cial bonds for the handling of such funds; to provide for a refund of excess collections in certain circumstances; to grant to any such county the right of eminent domain with respect to improvements; to provide for the effect of annexation or incorporation of an area in which assessments have been made; to provide for the severability of the provisions of this act and for the repeal of inconsistent laws; and to establish the effective date of this act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lolley	Pierce	
Bailes	Gilmore	McCarley	Skidmore	
Branyon	Givhan	Morrow	Stone	
Carr	Goodwyn	O'Bannon	Torbert	
Childs	Hawkins	Oden	Turner	
Clark	Leonard	Pelham	Vacca	
Cooper	Lindsey			—25

Nays: —0

The Bill:

H. 468. To authorize any county having a population of 600,000 or more according to the last or any subsequent federal decennial census, to become a party to a contract or lease agreement, solely on its own behalf, or jointly with any municipality in any such county, whereunder the liability of each may be joint or several, and whereunder the lessor is a public building authority, for a maximum period of twenty (20) years, to provide office space or to pay the expenses of providing office space for the State or County Department of Pensions and Security or any successor to both or either of them in carrying on any program for public welfare assistance.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pelham	
Adams	Folsom	McCarley	Pierce	
Bailes	Gilmore	McDermott	Radney	
Childs	Goodwyn	Morrow	Skidmore	
Clark	Hawkins	O'Bannon	Stone	
Cooper	Leonard	Oden	Vacca	
Dominick	Lindsey			—25

Nays: —0

The Bill:

H. 469. To authorize any public building corporation heretofore or hereafter organized pursuant to the provisions of Act No. 493 enacted at the 1955 Regular Session of the Legislature of Alabama, as heretofore or hereafter amended, in any municipality having a population of 300,000 or more according to the last or any subsequent federal decennial census, to enter into a contract or lease agreement with the municipality which authorized the organization of such public corporation and the county in which such municipality is located, whereunder the obligations of each may be joint or several, or with such municipality or such county separately, or with any department or

agency of either, or with the State of Alabama or any department or agency thereof, for a maximum period of 20 years.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Oden	
Bailes	Giles	McCarley	Skidmore	
Branyon	Gilmore	McDermott	Stone	
Carr	Givhan	Morrow	Torbert	
Childs	Goodwyn	Nabors	Turner	
Clark	Harris	O'Bannon	Vacca	
Cooper	Hawkins			—25
Nays:				—0

The Bill:

H. 470. To authorize any city having a population of 300,000 or more according to the last or any subsequent federal decennial census, to become a party to a contract or lease agreement, solely on its own behalf, or jointly with the county within which such municipality is located, whereunder the liability of each may be joint or several, and whereunder the lessor is a public building authority, for a maximum period of twenty (20) years, to provide office space or to pay the expenses of providing office space for the State or County Departments of Pensions and Security or any successor to both or either of them in carrying on any program of public welfare assistance.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Morrow	Radney	
Bailes	Giles	Nabors	Torbert	
Childs	Gilmore	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25
Nays:				—0

The Bill:

H. 472. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, pages 1579 et seq.) as amended, entitled "To create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pierce	
Adams	Folsom	McCarley	Radney	
Albea	Giles	McDermott	Skidmore	
Bailes	Gilmore	Morrow	Stone	
Branyon	Givhan	Oden	Torbert	
Childs	Goodwyn	Pelham	Vacca	
Dominick	Hawkins			—25

Nays: —0

The Bill:

H. 476. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq.), as amended, entitled: "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system".

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Bailes	Gilmore	Lindsey	Pierce	
Branyon	Givhan	Morrow	Stone	
Carr	Goodwyn	Nabors	Torbert	
Childs	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25

Nays: —0

The Bill:

H. 599. To amend Section 1 of Act No. 528 of the 1959 Regular Session of the Legislature of Alabama (General Acts of Alabama of 1959, p. 1302–1304), providing for the appointment of a zoning board of adjustment in any city having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Folsom	Goodwyn
Bailes	Cooper	Giles	Harris
Carr	Dominick	Gilmore	Hawkins
Childs	Engel	Givhan	Leonard

Lindsey	McDermott	Pierce	Skidmore	
Lolley	Morrow	Radney	Vacca	
McCarley	Pelham			—25

Nays: —0

The Bill:

H. 600. To amend Section 9 of Act No. 414 of the Legislature of Alabama of 1947 (General Acts of 1947, p. 304 et seq.) which fixes, levies and requires the payment of a license tax on cigarettes and tobacco products in counties having a population of 400,000 or more according to the last or any subsequent Federal Census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Radney	
Adams	Folsom	Morrow	Skidmore	
Albea	Giles	Nabors	Stone	
Bailes	Gilmore	O'Bannon	Torbert	
Branyon	Hawkins	Oden	Turner	
Childs	Jackson	Pierce	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 601. To amend Section 10 of Act No. 662 of the Legislature of Alabama of 1951 (General Acts of 1951, p. 1132 et seq.) which fixes, levies and requires the payment of a license tax upon the sale, distribution, delivery, storage or taking out of storage of beer, lager beer, ale, porter, near beer or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent Federal Census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Oden	
Bailes	Engel	Lindsey	Pelham	
Branyon	Folsom	Lolley	Pierce	
Carr	Giles	McCarley	Radney	
Childs	Gilmore	Morrow	Skidmore	
Clark	Givhan	O'Bannon	Vacca	
Cooper	Hawkins			—25

Nays: —0

The Bill:

H. 678. Propising a further amendment to Constitutional Amendment CLXXV adopted December 18, 1961 relating to special district taxes for furtherance of education in Jefferson County.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	McCarley	Radney	
Adams	Gilmore	McDermott	Skidmore	
Bailes	Givhan	Morrow	Stone	
Carr	Goodwyn	Nabors	Torbert	
Childs	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25
Nays:				—0

The Bill:

H. 680. To amend Section 68 of Title 52 of the 1940 Code of Alabama relating to compensation of members of the County Board of Education and to fix the compensation of members of the County Board of Education in all counties having a population of 600,000 persons or more according to the last or any succeeding federal census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McCarley	Skidmore	
Childs	Gilmore	Morrow	Stone	
Clark	Hawkins	Oden	Torbert	
Cooper	Jackson	Pelham	Vacca	
Dominick	Leonard			—25
Nays:				—0

The Bill:

S. 631. Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Oden	
Adams	Folsom	Lolley	Pelham	
Albea	Giles	McDermott	Pierce	
Bailes	Gilmore	Morrow	Radney	
Branyon	Givhan	Nabors	Skidmore	
Carr	Goodwyn	O'Bannon	Stone	
Childs	Harris			—25
Nays:				—0

The Bill:

S. 628. Relating to Tallapoosa County: To regulate further the compensation and expense allowances of members of the county governing body.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Adams	Engel	McDermott	Radney	
Branyon	Givhan	Morrow	Stone	
Carr	Goodwyn	Nabors	Torbert	
Childs	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25
Nays:				—0

The Bill:

S. 629. Relating to the office of the sheriff in Tallapoosa County; further regulating the salaries of deputies of the sheriff.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pierce	
Adams	Engel	Lindsey	Radney	
Albea	Folsom	Lolley	Skidmore	
Bailes	Giles	McCarley	Stone	
Childs	Gilmore	O'Bannon	Torbert	
Clark	Hawkins	Oden	Turner	
Cooper	Jackson			—25
Nays:				—0

The Bill:

S. 601. To provide for an expense allowance for each of the Circuit Judges of all Judicial Circuits in this State composed of three (3) Counties, with two (2) Circuit Judges, and having a total population of not less than 70,000 or more than 79,999 according to the last or any subsequent Federal decennial census; and providing for the payment of such expense allowance out of the General Funds of the counties composing such Judicial Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Pelham	
Branyon	Givhan	McCarley	Radney	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25
Nays:				—0

The Bill:

S. 538. Relating to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, providing further for the expense allowances of the members of the county governing body.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Jackson	Morrow	
Adams	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	Lolley	Radney	
Branyon	Gilmore	McCarley	Skidmore	
Carr	Givhan	McDermott	Stone	
Childs	Harris			—25

Nays: —0

The Bill:

S. 638. To amend further Act No. 355, H. 757, Regular Session 1953, (Acts 1953, p. 423), which relates to the office of sheriff of Limestone County so as to delete from said act the requirement that the county furnish the sheriff a house in which to reside during his term of office.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Adams	Folsom	Lindsey	Pierce	
Albea	Giles	Lolley	Radney	
Bailes	Gilmore	McCarley	Skidmore	
Branyon	Givhan	McDermott	Stone	
Carr	Harris	Morrow	Torbert	
Childs	Jackson			—25

Nays: —0

The Bill:

S. 544. To fix expense allowances of courts of county commissioners, boards of revenue or like governing bodies of all counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, with retroactive effect.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McDermott	Radney	
Adams	Givhan	Morrow	Skidmore	
Albea	Goodwyn	Nabors	Stone	
Childs	Harris	O'Bannon	Torbert	
Clark	Hawkins	Oden	Turner	
Cooper	Jackson	Pierce	Vacca	
Dominick	McCarley			—25

Nays: —0

The Bill:

S. 539. Relating to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, providing further for the expense allowances of the chairman of the county governing body.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Radney	
Adams	Folsom	McDermott	Skidmore	
Albea	Giles	Morrow	Stone	
Bailes	Gilmore	Nabors	Torbert	
Branyon	Givhan	O'Bannon	Turner	
Carr	Harris	Oden	Vacca	
Childs	Jackson			—25

Nays: —0

The Bill:

S. 615. To amend further Section 187 of Title 13, Code of Alabama 1940 in relation to the appointment and compensation of Bailiffs in certain Counties classified according to population.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	Leonard	Oden	
Branyon	Gilmore	Lindsey	Skidmore	
Carr	Givhan	Lolley	Stone	
Childs	Goodwyn	McDermott	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
Engel	Jackson			—25

Nays: —0

The Bill:

H. 809. Regulating further nighttime hunting in certain counties of the state classified on a population basis; providing for the taking, catching or killing of raccoons and o'possums during nighttime hours, but only under certain conditions and with a certain kind of gun and ammunition in such counties, when authorized by a rule of the director of conservation; and providing penalties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	McCarley	Radney	
Branyon	Gilmore	McDermott	Skidmore	
Carr	Givhan	Morrow	Stone	
Childs	Goodwyn	Nabors	Torbert	
Clark	Harris	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

S. 636. To apply only in counties of this state having populations of not less than 49,500 nor more than 50,500; providing that in any condemnation proceeding instituted in connection with an urban renewal or other redevelopment plan or project, the commissions appointed pursuant to Code of Alabama 1940, Title 19, Section 11, as amended, shall fix the value of any property sought to be acquired at no less than the value of such property as of the date of the announcement of the plan or project or slum, blight, or deterioration to be removed.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Carr	Giles	Nabors	Skidmore	
Childs	Harris	O'Bannon	Torbert	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25

Nays: —0

The Bill:

S. 635. Providing for payment by housing authorities or redevelopment agencies, on appeal from condemnation proceedings instituted in counties with any urban renewal or other redevelopment plan or project of all reasonable costs of the proceedings in the appellate court, including a reasonable attorney's fee, except in certain instances, in all counties of this state with populations of not less than 49,500 nor more than 50,500.

Was read a third time at length and passed, and ordered sent forthwith to the House with engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Goodwyn	Morrow	
Adams	Cooper	Leonard	Pelham	
Albea	Engel	Lindsey	Pierce	
Bailes	Folsom	Lolley	Radney	
Branyon	Giles	McCarley	Skidmore	
Carr	Gilmore	McDermott	Torbert	
Childs	Givhan			—25

Nays: —0

RESOLUTIONS

Messrs. Morrow, Hawkins, Childs, Vacca, Dominick, Bailes, Gilmore offered the following Senate Joint Resolution, to-wit:

S. J. R. 46. WHEREAS, On June 28, 1969 the State of Alabama suffered a great loss in the death of Charles Colcott Jones Carpenter, DD. LLD, the sixth Bishop of the Protestant Episcopal Church in the Diocese of Alabama, and

WHEREAS, Bishop Carpenter was known throughout Alabama, "from the hills of Monte Sano to the shores of Bon Secour" during his more than thirty years as Bishop for this consecrated leadership as a man of God who was never too busy to speak and minister to any person in need and never too busy to serve his God and his State in matters of great importance to all the people of Alabama, and

WHEREAS, his influence reached far outside confines of his own particular branch of the Church and far outside the borders of the State of Alabama, and

WHEREAS, Bishop Carpenter gave great leadership not only in his own Church but for the City of Birmingham, Jefferson County, and the State of Alabama during the many social crises of the past ten years, being especially effective in promoting a sense of unity among men of widely differing views,

THEREFORE, BE IT RESOLVED by the Legislature of Alabama, both houses thereof concurring, That we take official notice of the life of service of Bishop Carpenter, giving thanks for the example of faith and leadership to which he gave witness, and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to his widow, Alexandra Morrison Carpenter, and to his successor in office, the Rt. Rev. George Moseley Murray, DD. LLD, as a token of our sympathy and affection.

On motion of Mr. Morrow, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 23. Requesting the Congress of the United States to initiate an investigation regarding the discontinuance of passenger trains.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 80. Designating the "Bill Nichols Scenic Highway".

Also:

H. J. R. 75. Requesting the Republican Administration and particularly the President of the United States to take immediate steps to rescind the HEW plan requiring the massive crosstown bussing of Mobile school children.

Also:

H. J. R. 78. Requesting Mr. Robert H. Finch, Secretary of the Department of Health, Education and Welfare, to reappraise the Mobile County public school system in regard to recent directives of HEW.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cook (Jefferson), House, Waggoner, Meeks, Beck, Meade, Dobbs, Cook (Coffee), Williams, McElhaney, Bowers, Adwell, Owens (W. E.), Watkins, Holman, Crane, Bank, Money, Pruitt, Cherner, Drake, Tuck, Burgreen, Gloor, Jackson (T), Ellis, Gafford, Culver, Brassell, Higginbotham, Sessions, Yeilding, Weeks, McLain, Grainger, Laxson, Kilgore, Robertson, Lybrand, Wright, Holladay, Graham, Collins (W), Perloff, Snell and Harris:

H. 78. To provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with

surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 78. To the Committee on Public Buildings and Grounds.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Mathews and Springer:

H. 622. To make appropriations from the State Treasury for Capital improvements.

Also:

By Messrs. Fite, Snell, House, Manley, Cook (Coffee), Berryman (W) and Pennington:

H. 281. To further provide for and raise revenue for the State of Alabama; to levy an additional tax on the sale of spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board, the said tax to be measured by the selling price of such liquors, exclusive of taxes heretofore levied with respect thereto; to provide that the said selling price shall not be reduced for the purpose of absorbing the tax herein levied but that said tax shall be passed on to the purchaser; and to provide for payment of the proceeds from said tax into the State Treasury.

Also:

By Messrs. Fite, Snell, House, Manley, Cook (Coffee), Berryman (W) and Pennington:

H. 282. To levy an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes within this state; providing for the collection and enforcement of such taxes; and providing for the distribution of the proceeds.

Also:

By Messrs. Fite, Snell, House, Manley, Cook (Coffee), Berryman (W) and Pennington:

H. 283. To raise revenue by levying a privilege or excise tax, in addition to all taxes and licenses now imposed by law, on every person licensed under the provisions of Title 29 of the Code of Alabama (1940), as amended, who sells, stores, or receives for the purpose of distribution, malt

or brewed beverages; to provide for the collection and distribution of the proceeds of said tax.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 622 and 282. To the Committee on Finance and Taxation.

H. B.'s 281 and 283. To the Committee on Public Buildings and Grounds.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 236. Relating to Highways; to control and regulate the erection and maintenance of outdoor advertising devices or signs on lands adjacent to the federal-aid primary system and the national system of interstate and defense highways in Alabama; to provide compensation for removal or relocation of advertising devices; to define terms; to provide for violations and penalties; to provide how this Act may be cited; and to provide a severability clause.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Goodwyn, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 236, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S.B. 236

Section IV of the Substitute for Senate Bill No. 236 is amended by adding at the end thereof a new Subsection E to read as follows:

"E. Signs or devices which advertise or designate exclusively the location of the facilities of any public utility located along the interstate or primary highway for the convenience or protection of the using public or the facilities of the public utility."

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Jackson	Nabors	
Adams	Engel	Leonard	Pelham	
Albea	Folsom	Lolley	Pierce	
Bailes	Giles	McCarley	Radney	
Branyon	Gilmore	McDermott	Skidmore	
Carr	Givhan	Morrow	Turner	
Clark	Goodwyn			—25

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Pruitt and Manley:

H. 934. To alter, rearrange and extend the boundary lines and corporate limits of the town of Livingston in Sumter County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the town of Livingston in Sumter County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Livingston in Sumter County are hereby altered, rearranged and extended so as to incorporate within the corporate limits of the town the following described territory, to wit:

The southwest quarter of Section 33, and the northwest quarter of the southeast quarter of Section 33, Township 19 N, Range 2 West.

The west half of the northwest quarter and the north half of the southwest quarter, west of Klondike Road, in Section 4, Township 18 N, Range 2 West.

The east half of the east half of the northwest quarter and the northeast quarter of Section 5, Township 18 N, Range 2 West, all in Sumter County, Alabama.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dick Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Sumter County Journal, a newspaper cf general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for

four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 22, May 29, June 5, and June 12, all in the year 1969.

DICK SMITH.

Sworn to and subscribed before me June 25, 1969.

LOUISE W. HANLEY,
Notary Public.

Also:

By Mr. Williams:

H. 935. To provide for the compensation of jurors in Jackson County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced at the Regular Session of the Legislature or in some future Special Session and its enactment and passage sought, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation of jurors in Jackson County.

Be It Enacted by the Legislature of Alabama:

Section 1. All grand and petit jurors, serving in Jackson County are entitled to ten dollars for each day's services, five cents for each mile traveled in going to and returning from court, and ferriage and toll, to be proved by the oath of the juror before the clerk of the court. The clerk shall give each juror a certificate, stating therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled. The certificate shall be receivable in payment of county taxes, and other county dues, payable out of the county treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective on January 1, 1970.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Fred J. Buchheit, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Sentinel Age, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issues of said paper on May 25, June 1, June 8, and June 15, all in the year 1969.

FRED J. BUCHHEIT.

Sworn to and subscribed before me June 27, 1969.

EVELYN TUBBS,
Notary Public.

My Commission expires 12 Nov., 1970.

Also:

By Mr. Williams:

H. 936. To amend Act No. 69, H. 74, Second Special Session 1959 (Acts 1959, p. 238) which establishes the Jackson County Court, in order to regulate further the salary and allowances of the judge of such court.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 69, H. 74, Second Special Session 1959 (Acts 1959, p. 238) which establishes the Jackson County Court, in order to regulate further the salary and allowances of the judge of such court.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 69, H. 74 of the Second Special Session of 1959 (Acts 1959, p. 238) is hereby amended to read as follows:

"Section 4. The Judge of the court hereby created shall receive a salary of Twelve Thousand ($12,000.00) Dollars per annum, payable in equal monthly installments out of the County Treasury at the end of each month, his signed receipt being required. Such salary shall include any compensations and allowances presently due such judge."

Second 2. This act shall become effective upon the expiration of the term of office of the judge of the Jackson County Court who is the incumbent in such office when this act becomes law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Fred J. Buchheit, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Sentinel Age, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1969.

FRED J. BUCHHEIT.

Sworn to and subscribed before me June 30, 1969.

EVELYN TUBBS,
Notary Public.

My Commission expires 12 Nov., 1970.

Also:

By Mr. Williams:

H. 937. To apply to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and authorizing the Deputy District Attorney or County Solicitor for said counties a full time secretary and to fix the salary therefor.

Also:

By Mr. Williams:

H. 938. To provide an additional expense allowance for the members of the county board of education of any county having a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal census.

Also:

By Messrs. Crawford and Stembridge:

H. 939. To apply only in Counties having populations of not less than 15,000 nor more than 15,300; fixing the fee for issuance of a pistol permit by the Sheriff; and providing for the distribution and use of such fees.

Also:

By Mr. Lemley:

H. 940. Proposing an amendment to the Constitution relating to levying a special school tax in the school district of the City of Oneonta in Blount County.

Also:

By Messrs. Lybrand, Merrill and Burgess:

H. 945. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the City.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
CALHOUN COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the City.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, are hereby altered, rearranged and

extended so as to include within the corporate limits of the City the following described territory in addition to the area now embraced within such boundaries and corporate limits, to-wit:

That part of Section 22, Township 16, Range 8, Calhoun County, Alabama, lying North of U. S. Highway No. 78, West of Lee Brothers Road, South of Southern Railway and East of Oconee Cemetery.

SW ¼ of Section 34, Township 16 South, Range 8 East, situated in Calhoun County, Alabama, and consisting of 160 acres.

South Half of the SE ¼ and the SE diagonal one half of the North ½ of the SE ¼, Section 33, Township 16 South, Range 8 East, LESS 20 acres on the West end situated in Calhoun County, Alabama, consisting of 105 acres.

All that land lying North of I-20 and South of Highway 78, being 200 acres, more or less, in Sections 27 and 28, Township 16 South, Range 8 East, Calhoun County, Alabama, and

Section 2: This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ralph M. Parkman, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Vice Pres. of the Oxford Sun, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6/4, 6/11, 6/18, and 6/25, all in the year 1969.

RALPH M. PARKMAN.

Sworn to and subscribed before me June 26, 1969.

LOUISE J. BATES,
Notary Public.

Also:

By Messrs. Lybrand, Merrill and Burgess:

H. 946. To provide for the government and control by civil service regulations of certain employees of the sheriff's department of Calhoun County, Alabama, and to provide for a civil service board in said county and to fix its duties, authority, powers, and method of compensation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given in accordance with the provisions of Section 106 of the Constitution of Alabama that a bill substantially as follows

will be introduced in the Legislature of Alabama and application for its passage and enactment will be made:

The bill will provide for the government and control by civil service regulations of certain employes and classes of employes in the sheriff's department of Calhoun County. It will provide for the establishment of a civil service board in such county. It will prescribe the duties, authority and powers of this board and prescribe the qualifications of members, thereof. It will also provide for their appointment and compensation and fix their terms of office in such manner that the terms of the members will be staggered. It will provide officers for the board, prescribe the terms for meetings of the board, and regulate the keeping of minutes of the board. It will provide that all employes of the sheriff's department of Calhoun County except the chief deputy shall be employed, hold their positions, be promoted, demoted and discharged or removed pursuant to the act.

The bill will specifically provide that it shall apply to and govern all persons presently or hereafter employed by the sheriff's department of Calhoun County, subject to the exception above enumerated, and that all such persons shall remain and continue in their respective employments during good behavior, efficiency and obedience to such rules and regulations as may be, from time to time, prescribed by the civil service board thereby established. It will, however, specifically provide that nothing contained in the bill shall be construed to preclude the discharge or removal of an unsatisfactory employe, provided such discharge or removal is accomplished in the manner prescribed in the Act. The bill will provide for the adoption, printing, publication and distribution of rules and regulations governing employment by the sheriff's department of Calhoun County in accordance with the provisions of the bill. The bill will provide for and regulate applications for employment by the sheriff's department of Calhoun County and the examination of applicants for such employment. It will also prescribe an examination fee to be paid by each applicant for an examination, the proceeds of which shall be used to help defray the expenses of preparing and conducting the examinations and setting up and administering the civil service system. It will prescribe the procedures to be followed in filling vacancies in the sheriff's department by the sheriff and by the civil service board, and will provide for the temporary employment of such employes as are needed in emergencies.

The bill will provide for appeals from rulings and decisions of the board, and prescribe the procedure for hearings thereof by the board. It will also provide for the review of decisions of the board by the circuit court of Calhoun County and appeals from the decisions of such court to the Court of Appeals of Alabama or to the Supreme Court of this State.

The bill will provide for the payment of the expenses involved in establishing and maintaining the civil service system of Calhoun County.

Certain political activities by employes of the Sheriff's department of Calhoun County who are subject to the civil service system will be prohibited, as well as certain activities relative to the employment of these persons by the sheriff of Calhoun County.

The bill will provide that any violation of the law thereby proposed is a misdemeanor and prescribe penalities, including as a penalty in the case of violations by employes of the sheriff's department of the county forfeiture of the right to re-employment in such department for a prescribed term.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Phillip A. Sanguinetti, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the The Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6th, 13th, 20th, and 27th, all in the year 1969.

PHILLIP A. SANGUINETTI.

Sworn to and subscribed before me July 2, 1969.

LOLA J. BRIGHT,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 934, 935, 936, 937, 938, 939, 940, 945 and 946. To the Committee on Local Legislation No. 1.

(The above numbered Bill, H. B. 940, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cook (Coffee), Foshee, McCorquodale and Agee:

H. 776. To amend further Section 1 of Act No. 518, H. 283, approved September 16, 1963 (Acts of Alabama, p. 1106), to fix the compensation of Court Reporters, and provide for the payment thereof.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 776. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Higginbotham and Turnham:

H. 793. To amend Sections 1 and 2 of Act No. 230, H. 597, Regular Session 1959 (Acts 1959, p. 775) which act authorizes the court of county commissions of Lee County to levy a privilege or license tax on persons selling or distributing any malt or brewed beverages to retailers in Lee County; so as to increase the rate of the tax and to provide for the use of the proceeds from such increase.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 1 and 2 of Act No. 230, H. 597, Regular Session 1959 (Acts 1959, p. 775) which act authorizes the court of county commissioners of Lee County to levy a privilege or license tax on persons selling or distributing any malt or brewed beverages to retailers in Lee County; so as to increase the rate of the tax and to provide for the use of the proceeds from such increase.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 1 and 2 of Act No. 230, H. 597, Regular Session 1959 (Acts 1959, p. 775) relating to the privilege or license tax on distributors or sellers of malt of brewed beverages to retailers in Lee County are amended to read as follows:

"Section 1. The court of county commissioners or like governing body of Lee County may levy a privilege or license tax on all persons, corporations, co-partnerships, companies, agencies, and associations selling, distributing, or delivering to retailers in Lee County any malt or brewed beverages, (including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percent or more of alcohol by volume), which tax shall be in an amount equal to not more than four cents on quantities of twelve fluid ounces or less, six cents on quantities of more than twelve but not exceeding sixteen fluid ounces, and eight cents on quantities of more than sixteen but not exceeding twenty-four fluid ounces; and four cents on each twelve fluid ounces or fractional part thereof in excess of twenty-four fluid ounces of malt or brewed beverages sold, delivered or distributed to retailers located in the county. The privilege or license tax herein authorized shall be in addition to all other taxes and licenses now or hereafter authorized or imposed by law.

"Section 2. The privilege or license tax authorized by this act shall be collected by, or under the supervision of the court of county commissioners or like governing body of Lee County. The court of county

commissioners or like governing body shall apportion and distribute the proceeds of the tax as follows: One half of the proceeds of the tax shall be paid to the custodian of county school funds to the credit of the county board of education and shall be used solely for public school purposes. The remaining one-half of the proceeds of the tax shall be apportioned and distributed among the county and each incorporated city or town within or extending into the county, so that the portion of the proceeds collected within the corporate limits or police jurisdiction of each incorporated city or town within or extending into the county shall be paid over to such city or town and the portion of the proceeds collected in the county outside the corporate limits and police jurisdictions of incorporated cities or towns within or extending into Lee County shall be retained by the county. The portion of the proceeds paid hereunder to each incorporated municipality within the county shall be covered into the general funds of the city or town; and the portion of the proceeds retained by the county shall be covered into the general fund of Lee County, to be used for governmental purposes of the county as other moneys in the general fund of Lee County are now used."

Section 2. This act shall become effective on the first day of the second month next following its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Wear, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Opelika Daily News, Inc., a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 5, 12, 19, and 26, all in the year 1969.

W. C. WEAR, JR.

Sworn to and subscribed before me May 27, 1969.

DOROTHY W. MITCHELL,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 793. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McCorquodale, Pruitt, Fite, Merrill, Hill, Collins (W), Manley, Cameron, Holladay, Cook (Jefferson), House, Berryman (W), Cook (Coffee), Gloor, Agee, Snell, Harper, Garrett, Hardin, Lyons, Melton, Harris, Wood, Edington, Collins (C) and Pennington:

H. 891. To amend Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama (relating to the excise tax on motor fuel as defined in the said act), as amended, so as to make further provision for the disposition of the proceeds of the tax levied thereby.

Also:

By Messrs. McCorquodale, Pruitt, Fite, Merrill, Hill, Manley, McDonald, Cameron, Holladay, Collins (W), Cook (Jefferson), House, Berryman (W), Cook (Coffee), Gloor, Agee, Snell, Harper, Garrett, Hardin, Lyons, Melton, Harris, Wood, Edington, Collins (C) and Pennington:

H. 857. To amend Section 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to make further provisions for the distribution of the net proceeds from the license taxes and registration fees therein referred to.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 891 and 857. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Perloff:

H. 657. Relating to cities having populations of not less than 35,000 nor more than 55,000, according to the most recent federal decennial census; authorizing and providing for an increase in the board of directors of certain public utility systems in such cities.

Also:

By Messrs. McCorquodale, Pruitt, Fite, Merrill, Hill, Collins (W), Manley, Cameron, Holladay, Cook (Jefferson), House, Berryman (W), Cook (Coffee), Gloor, Agee, Snell, Harper, Garrett, Hardin, Lyons, Melton, Harris, Wood, Edington, Collins (C) and Pennington:

H. 886. To amend Act No. 224 adopted at the Special Session of 1967 of the Legislature of Alabama so as to appropriate, from the state's share of the net tax proceeds of the highway gasoline tax, moneys for payment at their respective maturities of the principal of and interest on bonds of Alabama Highway Authority issued under an act adopted at the 1969 Regular

Session of the Legislature of Alabama, and to clarify the provisions of the said Act insofar as they relate to refunding bonds that may hereafter be issued.

Also:

By Messrs. McCorquodale, Pruitt, Fite, Merrill, McDonald, Cameron, Holladay, Collins (W), Manley, Hill, Cook (Jefferson), House, Berryman (W), Cook (Coffee), Gloor, Agee, Snell, Harper, Garrett, Hardin, Lyons, Melton, Harris, Wood, Edington, Collins (C) and Pennington:

H. 858. To make further provision for the financing and construction of public bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding $25,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of fiduciary funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

Also:

By Messrs. McCorquodale, Pruitt, Fite, Merrill, Hill, McDonald, Cameron, Holladay, Manley, Collins (W), Cook (Jefferson), House, Berryman (W), Cook (Coffee), Gloor, Agee, Snell, Harper, Garrett, Hardin, Lyons, Melton, Harris, Wood, Edington, Collins (C) and Pennington:

H. 888. To amend Sections 6 and 11 of Act No. 43 adopted at the First Special Session of 1955 of the Legislature of Alabama so as to change the duration for which the corporation organized thereunder (known as Alabama Highway Authority) shall continue to exist.

Also:

By Mr. Melton:

H. 360. To make an appropriation to the Governor's Office for the purpose of paying a contribution to the National Governors Conference.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 657. To the Committee on Local Legislation No. 1.

H. B.'s 886, 858, 888 and 360. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 130. To make further provisions respecting distribution to municipalities, under Act No. 224 adopted at the 1967 Special Session of the Legislature of Alabama, of that portion allocated to municipalities under the said Act No. 224 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Sections 5 and 7 of the said Act No. 224, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities under Section 5 of the said Act No. 224 that have not yet been distributed to the said municipalities.

Also:

S. 211. To amend further Section 1, Act No. 11, S. 59, Regular Session 1959, as amended, an act fixing the compensation of certain officers of Dallas County.

Also:

S. 442. Relating to counties having a population of not less than 16,500 nor more than 17,500; providing for direct distribution to municipalities of their proportionate share of gasoline tax proceeds allocated for municipalities in such counties.

Also:

S. 452. Relating to counties having a population of not less than 32,200 nor more than 35,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act.

Also:

S. 445. To amend paragraphs (1) and (3) of subsection C of Section 279 and Sections 289, 293 and 299, all being of Title 26, Code of Alabama 1940, as last amended, pertaining to the Workmen's Compensation Law.

Also:

S. 446. To amend Sections 202, 203, Paragraph 1 of Subsection A, and Paragraphs 3 and 4 of Subsection B, and Subsection F, and Subsection G and Subsection H, (all said paragraphs and subsections being in Section 204,) Section 207, Paragraph 1 of Subsection D and Paragraph 1 of Subsec-

tion L of Section 214, Title 26, Code of Alabama 1940, as amended, all relating to unemployment compensation.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 225. Relating to the destruction of public records; authorizing the state treasurer to destroy certain cancelled state warrants and the journals pertaining to such warrants; and repealing Act No. 589, H. 141, of the Regular Session of 1957 (Acts of 1957, p. 826) and all other conflicting laws.

Also:

S. 226. To amend Code of Alabama 1940, Title 55, Section 223, which relates to the records of the state treasurer relative to cancelled coupons on coupon bonds issued by the State so as to require and regulate the making and auditing of certain records relative to coupon bonds and the destruction of certain cancelled bonds.

Also:

S. 227. To provide a method for indication of the Governor's approval of vouchers or accounts payable by the State Comptroller, which require the Governor's approval, by method of certification of the department director or executive officer requesting payment.

Also:

S. 228. To authorize all departments and agencies of the State of Alabama to execute and enter into lease sale contracts for the procurement of materials, machinery and other equipment; to require that such contracts be subject to and comply with the provisions of Chapter 4, Title 55 and Chapter 21, Title 55, Code of Alabama 1940 (Recompiled 1958).

Also:

S. 239. To regulate the execution of certain public contracts for the sale of state-owned tangible personal property or standing timber by competitive bid; to provide for disposition of proceeds from such sales; and prescribe penalties.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Holladay, Mathews and Pruitt:

H. 420. To make an appropriation to the Governor's office for the payment of legal fees in connection with legal actions filed or to be filed against the State Board of Education, local boards of education or superintendents of education.

Also:

By Messrs. Bank, Weeks, Culver, Edington, Lyons, Merrill, Lybrand, Cook (Jefferson), Marr, Bowers and Waggoner:

H. 423. To amend further "The Alabama G. I. and Dependents' Educational Benefit Act," Act No. 47, H. 29, approved May 24, 1951 (Acts of Alabama 1951, p. 259); in relation to the periods during which service must be rendered, the duration of such service and the time of residence in Alabama of the veteran entitled to benefits under the Act; to eliminate certain redundancies in the Act; to clarify certain ambiguities therein; and to provide that the benefits authorized therein shall be in addition to other state and federal benefits accorded to children, wives and Widows of the Act.

Also:

By Messrs. Drake, Beck and Starnes:

H. 452. To amend Section 2 of Act No. 870, H. 200, Regular Session, 1961 (Acts of 1961, page 1365) entitled "An Act to amend Sections 1, 2, 6 and 9 of Act No. 343, approved August 20, 1957, entitled 'An Act to provide further for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of any state department, board, bureau, commission, committee, institution, corporation, authority, or office and prescribing penalties.' "

Also:

By Messrs. Headley, Marr and Harris:

H. 19. Relating to the powers and duties of the state personnel director, relieving such officer of the duty of having published the names and addresses of state employees.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 420. To the Committee on Finance and Taxation.

H. B. 423. To the Committee on Judiciary.

H. B. 452. To the Committee on Immigration, Industrial Resources and Labor.

H. B. 19. To the Committee on Public Buildings and Grounds.

RESOLUTIONS

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 47. RESOLVED BY THE SENATE That the following Bills shall be the paramount and continuing order of business for the 20th Legislative Day only:

BILL NO.	PAGE
HB 310	54
SB 310	48
SB 426	34
SB 170	7
SB 311	32
SB 190	25
SB 8	5
HB 514	65
SB 201	19
SB 476	41
SB 48	29
SB 109	30
SB 337	29
SB 278	31
SB 117	4
SB 123	4
SB 120	3
SB 121	3
SB 122	4
SB 378	39
SB 15	5
SB 177	27
SB 178	27
SB 179	27
SB 180	27
SB 181	28
HB 279	81

Mr. Skidmore offered the following amendment to the Resolution, S. R. 47, to-wit:

Amend Rules Committee Report by removing SB 170 from its present place thereon and placing it immediately following H. B. 279.

Mr. Jackson moved that said amendment be laid on the table, and the motion to table was lost.

And the amendment offered by Mr. Skidmore was then adopted by the Senate.

Mr. Cooper offered the following amendment to the Resolution, S. R. 47, as amended, to-wit:

Amend Rules Committee report by placing S. B. 8 page 5 of the Calendar at the bottom of the list.

Which was lost.

Yeas 8; Nays 20.

Yeas:

Messrs.:	Goodwyn	Lolley	Skidmore	
Cooper	Lindsey	McDermott	Turner	
Engel				—8

Nays:

Messrs.:	Dominick	Hawkins	Oden	
Albea	Folsom	Leonard	Pelham	
Bailes	Giles	McCarley	Pierce	
Carr	Givhan	Morrow	Radney	
Childs	Harris	Nabors	Torbert	
Clark				—20

Mr. Cooper then offered the following amendment to the Resolution, S. R. 47, as amended, to-wit:

AMENDMENT TO S. R. 47

Amend Rules Committee report by deleting therefrom S. B. 8 on Page 5 of the Calendar.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Mathews:

H. 621. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 621. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hain, Steagall, and Blanton:

H. 45. To amend and re-enact Section 619(10) of Title 51 of the Code of Alabama dealing with recordation and taxation of deeds, mortgages, and instruments of like character.

Also:

By Messrs. McCorquodale, Foshee, Jackson (F), Harper and Burgess:

H. 439. To transfer and reappropriate certain monies heretofore appropriated to the Farmers Market Authority for other expenses to such Authority's account for equipment purchases; and to authorize and regulate the use of funds hereby transferred and reappropriated.

Also:

By Messrs. Young and Smith:

H. 706. To regulate the sale and distribution of commercial fertilizers, fertilizer materials and other substances; requiring a license and permit for the sale thereof, prescribing the fee therefor, requiring labeling information; to levy an inspection fee upon the sale and distribution of fertilizers; prescribing the powers, duties and authority of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries for the administration and enforcement of this Act; providing for the assessment and payment of penalties for fertilizers deficient in claimed plant food value; authorizing the State Board of Agriculture and Industries to fix minimum plant food content, grades and ratios for fertilizers and to adopt rules and regulations for the administration and enforcement of this Act; other administrative and enforcement provisions including a penalty for violations of this Act; to repeal Article 16 of Chapter 1 of Title 2, Code of Alabama 1940, as amended; also, to repeal Act No. 365, Legislature of 1947, approved August 16, 1947.

Also:

By Messrs. Young, Culver, Tuck, Grayson, Bassett, McCorquodale, Brown, Bank, Laxson, Malone, Smith, Collier, Brannan, Harper, Lemley, Fine, Pearson and Snell:

H. 28. To make it unlawful for a person to operate a motor vehicle loaded with gravel or other like substances in such manner that the contents of the vehicle spill out and endanger the property and safety of motorists and pedestrians, and to prescribe the punishment therefor.

Also:

By Messrs. Malone, Wright and Owens (W.E.):

H. 912. Relating to counties having a population of not less than 96,000 nor more than 106,000; providing expense allowances for certain officers in such counties.

Also:

By Messrs. Malone, Wright and Owens (W.E.):

H. 913. Relating to counties having a population of not less than 96,000 nor more than 106,000; fixing the compensation of certain officers in such counties.

Also:

By Messrs. Malone, Wright and Owens (W.E.):

H. 914. Relating to counties having a population of not less than 96,000 nor more than 106,000; increasing the expense allowance of the county judges in such counties.

Also:

By Messrs. Malone, Wright and Owens (W.E.):

H. 915. Relating to counties having a population of not less than 96,000 nor more than 106,000; fixing the compensation of the officers of the circuit court in such counties.

Also:

By Messrs. Wright and Malone:

H. 929. To alter, rearrange and extend the boundary lines and corporate limits of the town of Reece City in Etowah County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the oundary lines and corporate limits for the town of Reece City in Etowah County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Reece City in Etowah County are hereby altered, rearranged and extended so as to include within the corporate limits of the town, in addition to the area now embraced within such corporate limits of the town, a tract of land more particularly described as follows:

The south half of the northeast quarter of the northwest quarter, the southeast quarter of the northwest quarter, and the east half of the southwest quarter, all in Section 17, Township 11 South, Range 5 East, in Etowah County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur Ferguson, who, being by me first duly sworn, deposes and says that during the times herein

mentioned he was Editor-Publisher of the The Etowah News Journal, a newspaper of general circulation published in Etowah County County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, 12, 19, all in the year 1969.

ARTHUR FERGUSON.

Sworn to and subscribed before me June 19th, 1969.

MRS. OLIVE M. ELLIS,
Notary Public.

Also:

By Messrs. Wright and Malone:

H. 930. To apply only in counties having a population of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census; providing for taxing, collecting and remitting circuit court costs by the town or cities located therein, when a case has been appealed from a City Recorder's Court, Mayor's Court, Police Court or any municipal court to the Circuit court in such counties and the appeal is dismissed and case remanded, and when a town or city permits a defendant to pay a fine and cost to the town or city after transcript on appeal is filed in Circuit Court.

Also:

By Messrs. Cook (Coffee), Lybrand, Wright, Nettles, Manley, Lemley and Smith:

H. 226. To fix the salary of the Attorney General.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 45 and 439. To the Committee on Finance and Taxation.

H. B. 706. To the Committee on Agriculture.

H. B.'s 28 and 226. To the Committee on Judiciary.

H. B.'s 912, 913, 914, 915, 929 and 930. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 244. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the town of Hartford in Geneva County.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Foshee and Jackson (F):

H. 920. Relating to counties having populations of not less than 35,500 nor more than 36,500; to provide further for the compensation of certain bailiffs in such counties.

Also:

By Messrs. Jackson (F) and Foshee:

H. 921. Relating to Covington County; authorizing the county governing body to make an appropriation for the relief of Ray Bozeman, circuit clerk of said county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF COVINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Covington County; authorizing the county governing body to make an appropriation for the relief of Ray Bozeman, circuit clerk of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue or other like governing body of Covington County is hereby authorized and empowered to appropriate from the county treasury the sum of $2,421.02 for the relief of Ray Bozeman, circuit clerk of said county, to compensate him for the collecting and remitting of monies to the county under the provisions of Act No. 45, Regular Session 1967, (Acts 1967, p. 62). Said act inadvertently omitted the usual provision for commissions to be paid to the circuit clerk for collecting and remitting monies due the county under its provisions, and the claim of Ray Bozeman is a just, equitable and moral obligation resting upon Covington County, for which there is no remedy at law. The official authorized by law to draw warrants on the county treasury is hereby directed to draw his warrant in favor of Ray Bozeman for the sum of $2,421.02.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ed Dannelly, who, being by me first

duly sworn, deposes and says that during the times herein mentioned he was Editor of the Andalusia Star-News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1969.

ED DANNELLY.

Sworn to and subscribed before me June 25, 1969.

LORA JONES,
Notary Public.

Also:

By Messrs. Agee and McCorquodale:

H. 894. Relating to Washington County; providing for the election of members of the court of county commissioners, board of revenue, or other like governing body of Washington County by the county at large.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF WASHINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Washington County; providing for the election of members of the court of county commissioners, board of revenue, or other like governing body of Washington County by the county at large.

Be It Enacted by the Legislature of Alabama:

Section 1. After the effective date of this Act, the several members of the court of county commissioners, board of revenue, or other like governing body of Washington County, shall be nominated and elected by the qualified electors of the county at large. A member shall be elected for each district, and he shall be a resident and qualified elector of the district for which he is elected. The members of the court of county commissioners, board of revenue or other like governing body of the county shall be elected at the time, in the manner, and for terms provided by law, except as otherwise herein provided, the members from districts 2 and 4 being elected pursuant to this Act in 1970 and every four years thereafter and the members from districts 1 and 3 being so elected in 1972 and every four years thereafter.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WASHINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dalton Jackson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Call-News Dispatch, a newspaper of general circulation published in Washington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1969.

DALTON JACKSON.

Sworn to and subscribed before me June 23, 1969.

DENNIS PORTER,
Notary Public,
State of Ala. at Large.

My Commission Expires 2/25/71.

Also:

By Mr. Young:

H. 907. To authorize the county governing body of Cleburne County to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law and to repeal conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CLEBURNE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the county governing body of Cleburne County to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue, court of county commissioners, or other like governing body of Cleburne County is hereby authorized and empowered to appropriate out of any moneys in the county treasury not otherwise appropriated, and to expend not exceeding the sum of five thousand dollars ($5,000.00) per annum for any purposes not otherwise provided for by law, that in their judgment are worthy and for the best interest of the county, the fund hereby authorized to be known as the "Contingent Fund." Provided, however, the expenditures herein provided shall first be authorized by the governing body of the county in a resolution spread upon its minutes.

Section 2. Under the provisions of Section 1, not more than five thousand dollars ($5,000.00) shall be appropriated and expended in any one year; and should any sum or sums remain unexpended in said fund at the end of the year, only so much shall be appropriated for the next succeeding year as will together with the sum so remaining unexpended bring the Contingent Fund up to the sum of five thousand dollars ($5,000.00).

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. Act No. 4, H. 1, Regular Session 1945 (Local Acts 1945 p. 3) and all other laws or parts of laws which conflict with this act are hereby repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack R. Wood, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Cleburne News, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, 12 & 19, 1969, all in the year 1969.

JACK R. WOOD.

Sworn to and subscribed before me June 23, 1969.

JIMMIE SUE TAYLOR,
Notary Public.

My commission expires Feb. 21, 1970.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 920, 921, 894 and 907. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Young:

H. 908. Relating to Cleburne County; authorizing the appointment of sheriff's deputies, and authorizing the county governing body to determine number of deputies and their salaries.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CLEBURNE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cleburne County; authorizing the appointment of sheriff's deputies, and authorizing the county governing body to determine number of deputies and their salaries.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Cleburne County is hereby authorized to employ such number of deputies as the county governing body shall prescribe not to exceed four. Each deputy shall receive a salary to be fixed by the county governing body up to a maximum of $500.00 per month. The salary of each deputy shall be paid from the general fund of the county in the same manner in which other employees of the county are paid.

Section 2. The number of deputies, not to exceed four, shall be determined by the governing body of Cleburne County.

Section 3. All laws or parts of laws which conflict with this Act are repealed, and Act No. 18, Regular Session 1947 (Local Acts 1947 p. 21) is hereby expressly repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack R. Wood, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Cleburne News, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, 12 & 19, 1969, all in the year 1969.

JACK R. WOOD.

Sworn to and subscribed before me June 23, 1969.

JIMMIE SUE TAYLOR,
Notary Public.

My commission expires Feb. 21, 1970.

Also:

By Mr. Burgreen:

H. 909. To provide an expense allowance for the judge of probate in all counties having populations of not less than 35,700 nor more than 36,600, such allowance to be payable out of the general funds of the respective counties, and to expire at the end of the term of office of the incumbent judges of probate.

Also:

By Messrs. Robertson, Culver and Brown:

H. 910. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 100,000 nor more than 115,000.

Also:

By Mr. McCorquodale:

H. 922. To alter, rearrange and extend the boundary lines and corporate limits of the City of Jackson in Clarke County, Alabama; to exempt the annexed territory or certain parts thereof from ad valorem taxation by the city under certain conditions and to provide that certain police ordinances will not be effective in the annexed territory or certain parts thereof under certain prescribed conditions.

With notice and proof thereto attached and herewith exhibited as follows:

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
CLARKE COUNTY

Before me, Bettye H. Brown, a Notary Public in and for said County in said state, personally appeared J. Fred Nall, who is known to me, and who, being duly sworn, deposes and says:

That he is Publisher of The South Alabamian, a newspaper published weekly at Jackson, in Clarke County, Alabama, and that the following notice, to-wit:

STATE OF ALABAMA
COUNTY OF CLARKE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Jackson in Clarke County, Alabama; to exempt the annexed territory or certain parts thereof from ad valorem taxation by the city under certain conditions and to provide that certain police ordinances will not be effective in the annexed territory or certain parts thereof under certain prescribed conditions.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Jackson, in Clarke County, Alabama, are altered, rearranged and extended to include within the corporate limits of the municipality, in addition to all the lands presently so included, the lands lying and being in Clarke County, Alabama, described as follows:

All those portions of Sections 4 and 9 in Township 6 North, Range 2 East not presently included within the corporate limits of said municipality;

All those portions of Sections 32 and 33 in Township 7 North, Range 2 East not presently included within the corporate limits of said municipality;

And entire Sections 15, 22, 29, 30 and 31 in Township 7 North, Range 2 East.

Section 2. All the territory brought within the corporate limits of the City of Jackson under the provisions of this Act shall be exempt from ad valorem taxation by the City of Jackson until such time as the city makes available, furnishes or causes to be furnished to the area or part thereof all the same municipal services, except sanitary sewer services, which it was making available, furnishing or causing to be furnished to residents within the corporate limits of such city immediately prior to the extension of such limits by this Act. Provided, further, all farm or timber land annexed by this Act, the improvements thereon and the appurtenances thereunto appertaining, shall be exempt from all ad valorem taxation by the municipality of Jackson during the time such land is used for farming or timber growing purposes.

Section 3. City ordinances prohibiting the keeping or raising of livestock or prohibiting the discharging of firearms shall not apply to any part of the territory hereby annexed during the time such part of this territory is used for farming and timber growing purposes.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

was published in said newspaper once a week for four successive weeks, said notice appearing in the following issues: June 12, 1969 to July 3, 1969, inclusive.

J. FRED NALL.

Sworn to and subscribed before me this day of 7th July, 1969.

BETTYE H. BROWN,
Notary Public, Clarke County, Ala.

Also:

By Mr. Pearson:

H. 933. Regulating and providing for the payment of the compensation of certain deputies of the Sheriff in Autauga County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Regulating and providing for the payment of the compensation of certain deputies of the Sheriff in Autauga County.

Be It Enacted by the Legislature of Alabama:

Section 1. In Autauga County the Chief Deputy Sheriff shall be entitled to a salary not less than $4,000 nor more than $6,000 per annum, which shall be fixed and determined by the Board of Revenue and Control, Court of County Commissioners, or other like Governing Body of the County and shall be paid from the County Treasury in the manner prescribed by law.

Section 2. The deputies of the Sheriff, other than the Chief Deputy, whose compensation is payable by the County, not exceeding three in number, shall each be entitled to a salary of not less than $3,000 nor more than $5,400 which shall be fixed and determined by the Board of Revenue and Control, Court of County Commissioners or other like County Governing Body, and shall be paid in equal monthly installments from the County Public Highway and Traffic Fund or the County General Fund, as the Court of County Commissioners, Board of Revenue and Control, or other like Governing Body of the County may direct; in equal monthly installments upon warrants drawn on the County Treasury, in the manner prescribed by law.

Section 3. The Governing Body of Autauga County is further authorized to provide additional expense allowance to the Sheriff's Department which in their discretion is necessary and needed to maintain law and order in Autauga County. Such additional salary and expense allowance shall be paid from the County Public Highway and Traffic Fund or the General Fund of the County as the County Commissioners, Board of Revenue and Control, or other like Governing Body of the County may direct.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall become effective immediately upon it's passage and approval by the Governor or upon it's otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Norman E. Ridenhour, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the THE PRATTVILLE PROGRESS, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 5, June 12, June 19, and June 26, all in the year 1969.

NORMAN E. RIDENHOUR.

Sworn to and subscribed before me this 26th day of June, 1969.

LINDA H. BREEDLOVE,
My Commission Expires Dec. 9, 1970. Notary Public.

Also:

By Messrs. Agee and McCorquodale:

H. 969. Relating to all counties having populations of not less than 15,300 nor more than 15,400 according to the most recent federal decennial census; fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Also:

By Mr. Fite:

H. 976. Relating to all counties having populations of not less than 14,500 nor more than 14,900, according to the last or any subsequent federal decennial census; providing for the payment by the county of expense allowances for members of the jury commission in such counties.

Also:

By Mr. Fite:

H. 977. Relating to counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census; authorizing the county board of education to provide the superintendent of education an annual expense allowance, in addition to any and all other salary, compensation or allowances now provided for such officer by the county governing body.

Also:

By Mr. Fite:

H. 978. Relating to all counties having populations of not less than 14,500 nor more than 14,900 according to the last or any subsequent federal decennial census; providing for the payment by the county of expense allowances for members of boards of registrars in such counties.

Also:

By Messrs. Merrill, Lybrand and Burgess:

H. 981. Relating to cities having populations of more than thirty thousand and not exceeding forty-five thousand according to the most recent federal decennial census; to validate certain elections purportedly held pursuant to Act No. 404, S. 430 of the Regular Session of 1953 (Acts, 1953, p. 472), and to amend said Act No. 404, which authorizes, provides for and regulates the adoption of the council-manager form of government by any such city, so as to provide further for notice required of the election of the first council after a city elects this form of government, and to provide for holding and conducting the elections of the first and subsequent city councils under this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 908, 909, 910, 922, 933, 969, 976, 977, 978 and 981. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Crawford and Stembridge:

H. 987. Relating to counties having a population of not less than 15,000 nor more than 15,300; to increase the compensation of members of boards of registrars in such counties.

Also:

By Messrs. Crawford and Stembridge:

H. 988. Relating to counties having a population of not less than 15,000 nor more than 15,300; to increase the compensation of members of the jury commission in such counties.

Also:

By Mr. Springer:

H. 917. To fix the compensation of the judge of probate of all counties having populations of not less than 150,000 nor more than 300,000 according to the 1960 Federal Census; to require such probate judges to pay into the county treasury all costs and charges of court, fees, and commissions authorized to be collected by such probate judges; to provide that the salary herein prescribed shall not affect any expense allowance heretofore provided; and to repeal conflicting laws, including specifically Act No. 312, H. 580, Regular Session 1963 (Acts 1963, p. 792).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 987, 988 and 917. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Tuck, Brannan, McLain, Wright, Holladay, Williams and Manley:

H. 71. To confer on each municipality in the state the power to acquire and develop industrial parks and to expend moneys for such purpose, and the power to sell property forming a part of an industrial park for not less than the reasonable market value of the property so sold as established by independent appraisals.

Also:

By Messrs. Foshee and Jackson (F):

H. 362. Relating to telephone communications, limiting the number of subscribers for which service may be provided on any one line of communication.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 71. To the Committee on Public Buildings and Grounds.

H. B. 362. To the Committee on Commerce and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Neville:

H. 392. To amend Act No. 668, H. 918, Regular Session 1967 (Acts, Regular Session 1967, p. 1493), which provides additional compensation for the official court reporter of the third judicial circuit, in order to delete a provision thereof which provides for the expiration of the Act.

Also:

By Messrs. Springer, Harris, Cameron, Hobbie, and McElhaney:

H. 872. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 3 and 4, Township 15 North, Range 18 East, and Section 33, Township 16 North, Range 18 East, Montgomery County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MONTGOMERY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limites thereof certain

additional territory in Section 3 and 4, Township 15 North, Range 18 East, and Section 33, Township 16 North, Range 18 East, Montgomery County, Alabama.

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

Beginning at the intersection of the south line of Section 3, T15N, R18E, Montgomery County, Alabama, and the westerly line of Woodley Road; thence west along the south line of said Section 3 to the southeast corner of Section 4, T15N, R18E, Montgomery County, Alabama; thence west along the south line of said Section 4 to the ½ section line running north and south through the center of said Section 4; thence north along said ½ section line to the south line of Section 33, T16N, R18E, Montgomery County, Alabama; thence north along the ½ section line running north and south through the center of said Section 33 to the north west corner of the SE¼ of said Section 33: thence east along the north line of the said SE¼ of said Section 33 to the east line of Woodley Road; thence southeasterly along the east line of Woodley Road 5223.4 more or less; thence S 49 degrees-07'-W to a point on the westerly line of Woodley Road; thence southeasterly along the westerly side of Woodley Road to the point of beginning.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, Kathleen Oswald a Notary Public in and for said County in said State, personally appeared Guyton Parks, who is known to me and who first being by me duly sworn, doth on oath, depose and say:

That he is General Manager of the Advertiser Company, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper published in the City and County of Montgomery and State of Alabama, on the following dates: May 22, 29 and June 5 and 12, 1969.

GUYTON PARKS.

Sworn to and subscribed before me this the 13th day of June, 1969.

KATHLEEN F. OSWALD,
Notary Public,
Montgomery County, Alabama.

Also:

By Messrs. Bolton and Smith:

H. 874. To provide for the appointment of a deputy district attorney for the Twenty-Ninth Judicial Circuit of Alabama, prescribe his powers and duties, fix and provide for payment of his compensation, and regulate his tenure in office.

Also:

By Mr. Fite:

H. 903. Relating to counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census; to provide for an expense allowance for the county engineer payable from the general funds of the county.

Also:

By Mr. Fite:

H. 904. Relating to counties having a population of not less than 14,500 nor more than 14,900, according to the last or any subsequent federal decennial census; to provide for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

Also:

By Mr. Fite:

H. 905. Relating to counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census; to provide for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

Also:

By Mr. Fite:

H. 906. To amend the title and Section 2 of Act No. 65, H. 738, Regular Session 1969, approved June 27, 1969, an Act providing for a travel allowance for the chairman and members of the board of revenue in counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census, so as to increase the travel allowance of the chairman.

Also:

By Messrs. Meade and Beck:

H. 918. To amend Act No. 261, H. 808, approved August 23, 1955 (Acts 1955, p. 606) relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CHEROKEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 261, H. 808, approved August 23, 1955 (Acts 1955, p. 606) relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 261, H. 808, approved August 23, 1955, (Acts 1955, p. 606) is hereby amended so as to read as follows:

Section 4. Upon the effective date of this Act the governing body of Cherokee County and all officials of the county shall transfer and turn over to the State Highway Department, all funds, supplies, equipment, machinery and materials held, owned leased or controlled by it or them for the construction, maintenance and repair of county roads and bridges. Thereafter, on or before the tenth day of each month, the county treasurer, the county governing body and all other county officials of Cherokee County shall pay over to the State Highway Department all funds collected or received by them as taxes, or otherwise, excluding the motor vehicle license tax allocated to the county, and excluding any gasoline tax now levied and collected, or hereafter authorized to be levied and collected by the county governing body of Cherokee County Alabama, from any source whatsoever during the preceding month which are designated or to be used for the purpose of constructing, maintaining or repairing county roads or bridges. Such funds shall be maintained seperately by the State Highway Department and shall be used by it soley for the purpose of construction, maintenance and repair of county roads and bridges in Cherokee County subject to the provisions of this Act; provided that the provisions of this Act shall have no application to any monies now constituting the Road, Bridge and Public Building Fund of Cherokee County nor to any amounts hereafter received by such county from the levy for such purposes authorized by Section 215 of the Constitution, nor to any amounts of gasoline taxes levied and collected or hereafter authorized to be levied and collected by the county governing body of Cherokee County, Alabama, and same shall continue to be received, maintained and expended subject to the control and direction of the governing body of such county in the manner authorized by law."

Section 2. Section 7 of said Act No. 261 of 1955 is hereby amended so as to read as follows:

"Section 7. The State Highway Department shall construct, maintain and repair the county roads and bridges of Cherokee County from funds which would otherwise accrue to Cherokee County for road and bridge work from any source not specifically excepted under the terms of this Act. The State Highway Department shall retain, and the appropriate State Officials are authorized to pay over to it any funds or amounts to which Cherokee County shall be entitled to from the proceeds of the State gasoline tax, or any other State tax, and such sums and amounts shall be used in addition to the sums and amounts turned over to the State Highway Department under the provisions of Section 4 of this Act for the construction, maintenance and repair of county roads and bridges in said county. The gasoline tax money, and the proceeds of any other tax to which Cherokee County is entitled except those taxes specificially excluded in Section 4 of this Act, received by the State Highway Department for road work in Cherokee County shall be kept in the separate account referred to in Section 4 of this Act."

Section 3. This Act amendment shall take effect immediately upon its passage and approved by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, Lois Flemming a Notary Public in and for said county in said state personally appeared Joe Shaw, Jr., who, being by me first

duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the City of Centre, Alabama, in Cherokee County, Alabama; that the attached is a true, correct and complete copy of Notice of bill to be entitled an act as published in said newspaper once a week for four consecutive weeks, 5-28-69, 6-4-69, 6-11-69, 6-18-69, that said newspaper has been so published in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said city and county; and that said newspaper has been entered as second class mail matter in the United States Post Office in said city for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

JOE SHAW, JR.

Sworn to and subscribed before me this 23rd day of June, 1969.

LOIS FLEMING,
Notary Public.

Also:

By Messrs. Bassett and Hardin:

H. 931. To create the Inferior Court of Pike County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Pike County, the County Court of Pike County, and all criminal and quasi criminal jurisdiction of Justices of the Peace in said county.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment made:

A BILL
TO BE ENTITLED
AN ACT

To create the Inferior Court of Pike County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Pike County, the County Court of Pike County, and all criminal and quasi criminal jurisdiction of Justices of the Peace in said county.

Be It Enacted by the Legislature of Alabama:

Section 1: There is hereby established the Inferior Court of Pike County with jurisdiction coextensive with the county of criminal and civil matters as hereinafter provided.

Section 2: (a) Except as provided in subsection (b), the court shall have jurisdiction of civil actions at law in which the matter or sum in controversy does not exceed One Thousand Dollars ($1,000.00) and, in addition, shall have jurisdiction in all actions, causes, matters, proceedings and cases (including paternity proceedings and actions for unlawful detainer and for the recovery of possession of land without limitation as to the value of the property involved,) heretofore, cognizable before the County Court, Juvenile Court and Justices of the Peace. It shall have authority to punish comptempts by fine not exceeding $50.00 or a term in the county jail not exceeding five days, or both. It may adopt and enforce rules and regulations relative to pleadings, procedure and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and rules of the Supreme Court governing the practice and procedure of Inferior Courts.

(b) The court shall have and exercise preliminary jurisdiction in felony cases, but the court shall not have jurisdiction to try persons charged with felonies or actions or ejectment or of any matter or proceeding cognizable only in equity; provided, that nothing herein shall be construed to limit or restrict the court in the exercise of the jurisdiction of the Juvenile Court.

(c) No criminal prosection shall be commenced in such court except by warrant upon sworn complaint issued by the clerk or his deputy or a magistrate (including a Justice of the Peace), or public official of Pike County authorized to issue warrants of arrest.

(d) The provisions of Chapter 7 of Title 13 of the Code of Alabama as the same may from time to time be amended, shall apply in all matters in which the court exercises the jurisdiction of the Juvenile Court.

(e) Appeals may be taken from final judgments or final orders of the court as follows: In criminal cases the appeal lies to the Circuit Court of Pike County and shall be governed by the provisions of Section 349 of Title 13, Code of Alabama. An appeal from judgments or orders made by the court in the exercise of jurisdiction of the Juvenile Court lies to the Circuit Court of Pike County and shall be governed by the provisions of Sections 362, 371 and 372 of Title 13, and Sections 95, 96 and 97 of Title 34, Code of Alabama. In civil cases the appeal lies to the Circuit Court of Pike County, and shall be governed by the provisions of Article 6 of Chapter 8, Title 13, Code of Alabama. In all appeals to the Circuit Court trial shall be de novo.

(f) The County Court of Pike County and the Juvenile Court of Pike County are abolished. All criminal and quasi criminal jurisdiction of Justices of the Peace in Pike County is abolished except jurisdiction to issue search warrants and warrants of arrest returnable to the Inferior Court of Pike County.

(g) In any civil action pending in the Inferior Court of Pike County, if the defendant files a plea of set off or recoupment claiming an amount in excess of $1,000.00 or otherwise asserting a cause of action not within the jurisdiction of the court, the judge shall enter an order transferring the case to the Circuit Court of Pike County where the same shall proceed as if originally commenced therein.

(h) The Inferior Court of Pike County shall be a court not of record and the judge shall not be prohibited from engaging in the practice of law.

Section 3: (a) The judge of the Inferior Court of Pike County shall be appointed by the Court of County Commissioners of Pike County, to hold office until September 30, 1970; his successors shall be appointed for terms of four years each beginning October 1, 1970 and every four years thereafter, by resolution of the Court of County Commissioners not less than thirty nor more than sixty days prior to the expiration of the term of the incumbent judge. No person shall be eligible to appointment as Judge of the Inferior Court of Pike County who is not learned in the law and a qualified elector of Pike County. The judge, shall, before entering upon the discharge of the duties of his office, take the oath prescribed by Section 279 of the Constitution of Alabama He may be removed from office for any cause enurmerated in Section 173 of the Constitution. Any vacancy occurring in the office of judge shall be filled by appointment of the Court of County Commissioners of Pike County, such appointment to be for the unexpired term.

Section 4: (a) The judge shall have authority to: (1) grant writs of habeas corpus, certiorari, supersedeas, quo warranto, mandamus, and all other remedial and original writs which are granted by the

judges of Circuit Courts at law; (2) administer oaths and take acknowledgments; (3) issue search warrants; (4) exercise, within the limits of the jurisdiction conferred by this Act, such other powers and authority as may now or hereafter be conferred by law upon judges of courts of like jurisdiction.

(b) The judge shall be provide, at the expense of the County, with such office supplies, stationary, stamps, and other materials as may be necessary for the transaction of the business of the court.

(c) In the event the judge is disqualified or unable to act a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the Code of Alabama.

(d) The judge shall receive an annual salary of Four Thousand, Eight Hundred Dollars (4,800.00), payable out of the general fund of the county in equal monthly installments.

Section 5: (a) The court shall be open at all times for the transaction of business. Regular sessions shall be held on the first Tuesday in each month at the Courthouse for the trial of criminal cases, and on the first Thursday in each month at the Court House for the trial of civil actions at law. Special sessions may be held at such times as the judge shall designate. Sessions may continue so long as may be necessary for the court to complete its business. The judge shall be available at all times to receive guilty pleas, assess fines and enter such orders and judgments as may be appropriate.

(b) The sheriff shall attend the regular criminal sessions of the court in person or by deputy and shall attend other sessions when requested by the judge and shall receive the same compensation therefor for which he is now allowed for attending sessions of the County Court. He shall promptly execute all writs and processes of the court and perform such duties as may be directed by the Judge.

Section 6: In civil actions at law, the defendant shall be required to appear and plead, answer or demur, within twenty days from the service of process.

Section 7: All cases in the Inferior Court of Pike County shall be tried and all issues of fact decided by the judge without the intervention of a jury.

Section 8: In civil actions at law it shall be the duty of the clerk to tax, collect and remit the same costs and fees of the sheriff and witnesses and other court costs, including trial tax, as now or hereafter allowed by law to be taxed and collected in such actions in the circuit court, except that there shall be taxed as clerk's fees the sum of $8.00 in each case, such fee to include services in garnishments or judgments in such cases; and in all criminal cases the same fees and commissions for the services of the clerk, sheriff, solicitor and witnesses and other court costs, including trial tax, as now or hereafter allowed by law to be taxed and collected in the county courts; provided, however, that in criminal cases involving violations of the Rules of the Road or statutes governing the operation of vehicles on public highways or game and fish laws, the clerk shall receive in lieu of all other fees the sum of $3.00 plus commissions, and, in such case, where the defendant pleads guilty, no solicitors fee and no trial tax other than fair trial tax.

Section 9: The County Solici- shall be taxed or collected.
tor or Deputy District Attorney shall prosecute for the State all criminal cases commenced in said court.

Section 10: The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as provided by law with respect to judgments rendered by the circuit court.

Section 11: (a) The Clerk of the Circuit Court of Pike County shall be ex officio clerk and each Deputy Clerk of the Circuit Court of Pike County shall be ex officio a deputy clerk of the Inferior Court of Pike County. The clerk shall have authority to requisition at county expense such records, stationary, office supplies and equipment as may be necessary to conduct the court's business. He shall keep a seal, which shall be the official seal adopted by the court.

(b) It shall be the duty of the clerk to keep all the books, papers, files, and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk shall have power and authority: (1) to administer oaths and take acknowledgments and affidavits; (2) to sign and issue all processes issuing out of the court, including warrants, summonses, subpoenas, writs, executions, commitments, and releases; (3) to fix bail and approve bonds; (4) to enter all judgments, orders and decrees of the court; (5) to certify all appeals; (6) to issue certificates of judgment, and (7) to exercise all power and authority which are now or may be hereafter conferred on clerks of circuit courts.

(d) The clerk shall attend all sessions of the court in person or by deputy.

Section 12: All cases and actions pending in the County Court of Pike County and in the Juvenile Court of Pike County on the effective date of this Act shall be transferred to the court herein created and shall proceed as though begun therein. The Inferior Court of Pike County shall have the same jurisdiction to enforce judgments heretofore rendered by the County Court of Pike County and the juvenile Court of Pike County and all judgment in criminal cases heretofore rendered by Justices of the Peace in Pike County in all respect as though the judgments had been rendered by it. This act shall not apply to nor affect any criminal or quasi criminal case pending in any Justice of the Peace Court of the county on the effective date hereof.

Section 13: The provisions of this Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 14: All laws in conflict with this Act are, to the extent of the conflict, repealed.

Section 15: This act shall take effect on the first day of the month next following the date of its enactment.

STATE OF ALABAMA
PIKE COUNTY

Before me, Maurine Bryan, A Notary Public in and for said State and County, personally appeared Robert L. Winebarger, who being sworn, deposes and says on oath, that he is the General Manager of THE TROY MESSENGER, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice A Bill—Establish inferior court was published in said newspaper 4 times, the same appearing in the issues dated: June 6, 13, 20, 27, 1969.

ROBERT L. WINEBARGER,
Gen. Mgr.

Sworn to and subscribed before me this the 7th day of July 1969.

MAURINE BRYAN,
Notary Public,
Pike County, Ala.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B's 392, 872, 903, 904, 905, 906, 918 and 931. To the Committee on Local Legislation No. 1.

H. B. 874. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cook (Coffee), Foshee, McCorquodale and Agee:

H. 777. To amend further Section 2 of Act No. 302, H. 208, approved September 5, 1919 (General Acts of Alabama, p. 268) entitled "An Act to provide for the appointment of an official court reporter by each circuit judge in Alabama; to fix their compensation, define their duties and provide for special reporters in certain cases."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 777. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 492. To create offices of Deputy District Attorney No. 1, Deputy District Attorney No. 2, and Deputy District Attorney No. 3 of the Sixth Judicial Circuit and provide for the appointment, duties and compensation of such offices.

Also:

S. 128. Making an appropriation from the state treasury for the relief of G. W. Hardwick of Enterprise, Alabama.

Also:

S. 54. To make an appropriation to Auburn University for operation and maintenance of the school at Montgomery.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Lybrand, Burgess, and Merrill:

H. 213. Further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12 (2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

Also:

By Messrs. Graham and Berryman (W):

H. 236. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

Also:

By Messrs. McDonald, Starnes and Drake:

H. 529. To further amend Section 3 of Act No. 443, approved August 28, 1953, entitled "An act to provide law clerks to be appointed by the chief justice and the associate justices of the supreme court, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 549), as amended by Act No. 594, General Acts of Alabama 1959, p. 1483, and by Act No. 44, General Acts of Alabama 1965, Special Sess., p. 64, and to provide the time when the amendment shall become effective.

Also:

By Messrs. McDonald, Starnes and Drake:

H. 530. To further amend Section 3 of Act No. 724, approved September 17, 1953, entitled "An act to provide law clerks to be appointed by the presiding judge and associate judges of the Court of Appeals, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 979), as amended by Act No. 595, General Acts of Alabama 1959, p. 1484, and by Act No. 43, General Acts of Alabama 1965, Special Sess., p. 63, and to provide the time when the amendment shall become effective.

Also:

By Messrs. Smith, Hobbie, Culver, Laxson, Bassett, Young, Collier, Starnes, and Harris:

H. 332. To empower the Director of Conservation with authority to prohibit the importation into this State of any bird, animal, reptile, amphibian, or fish when such importations are not in the best interest of the State of Alabama; to provide regulatory authority to the Director of Conservation to implement the provisions of this Act.

Also:

By Messrs. Agee, Brannan, Mays, Turnham, Tuck, Ellis, Shumate, Dobbs, Owen (Baldwin), McCorquodale, Snell, Brassell, Cook (Coffee), Edington and Cherner:

H. 668. To make a supplemental appropriation to the Alabama Historical Commission for the purchase of land at Old St. Stephens in Washington County.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 213 and 668. To the Committee on Finance and Taxation.

H. B.'s 236, 529 and 530. To the Committee on Judiciary.

H. B. 332. To the Committee on Forestry and Conservation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 512. To amend Section 5 of Act No. 77, H. 325, Regular Session 1947 (Local Acts 1947, p. 55) as amended, an act to create the office of county solicitor of Autauga County, so as to provide an expense allowance for the county solicitor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McCarley, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 512, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 512

Amend Senate Bill 512 as follows:

In "Section 5" delete the following: "two hundred fifty ($250)" and insert in lieu thereof the following: "One hundred fifty ($150)".

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Radney
Branyon	Givhan	McCarley	Skidmore
Carr	Goodwyn	Morrow	Stone
Childs	Harris	Nabors	Torbert
Clark	Hawkins	O'Bannon	Turner
Cooper	Jackson	Oden	Vacca
Dominick	Leonard		

—25

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 176. To provide for compliance with provisions of Article 3 of Title 47 of the Code of Alabama of 1940 requiring entry of partial payments of indebtedness secured by mortgage or other encumbrance on the margin of the record by the furnishing of a separate written instrument.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. House, Cook (Jefferson), Merrill, Pruitt, Manley, Berryman (W), Hill, McCorquodale, Holladay and Cook (Coffee):

H. 892. To authorize Alabama Public School and College Authority, a public corporation, to sell and issue additional bonds for the purpose of constructing and equipping capital improvements at state educational institutions where the board of directors of the Authority, with the approval of the Governor, shall determine that such capital improvements can be most advantageously located; to provide for the details of the said bonds and for the sale thereof; to make appropriation and pledge of funds for payment of the principal of and interest on the said bonds and authorize the Authority to pledge for payment of the said principal and interest the funds so appropriated and pledged herein; to provide that the said bonds shall be limited obligations of the Authority payable solely from the funds so appropriated and pledged and shall not create an obligation or debt of the state; to provide that the said bonds and the income therefrom shall be exempt from taxation and the said bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the refunding of such bonds by the issuance of refunding bonds; to adopt with respect to the said bonds certain provisions of Act No. 243 adopted at the 1965 Special Session of the Legislature of Alabama; and to specify certain other provisions respecting the said bonds.

Also:

By Mr. Cameron:

H. 137. To amend Act No. 866, Regular Session 1965, an act relating to required coverage in motor vehicle bodily injury liability insurance policies or contracts issued or delivered in this State requiring all such policies or contracts of insurance to include a provision insuring the insured and providing to pay the insured such sum as he may be legally entitled to recover as damages from the owner or operator of an uninsured motor vehicle and providing for the insured to have the right to reject such coverage.

Also:

By Mr. Smith:

H. 826. To make an appropriation to the Alabama Institute for Deaf and Blind for Capital Outlay purposes.

Also:

By Messrs. Mathews and Fite:

H. 780. To provide for a Dockets Clerk of the Court of Appeals of Alabama, to provide for the duties of said Dockets Clerk, to fix the compensation, and to make an appropriation for carrying out the provisions of this act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 892 and 826. To the Committee on Finance and Taxation.

H. B. 137. To the Committee on Judiciary.

H. B. 780. To the Committee on Public Buildings and Grounds.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 240. To provide for the voiding of state warrants outstanding at the close of the fiscal year next following the fiscal year in which they were issued, and for the barring of the claims based thereon.

Also:

S. 249. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding $4,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the payment of the costs of the work required of the Alabama State Docks as the local sponsoring agency for the improvement in Mobile Harbor, Alabama, known as the Theodore Ship Channel project or for the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding $2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to

authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

Also:

S. 510. To amend Section 1 of Act No. 21 adopted at the Extraordinary Session of 1969 of the Legislature of Alabama so as to change the definition of "Utility" as said definition appears in said Section 1.

Also:

S. 511. To amend Section 1 of Act No. 37 adopted at the Extraordinary Session of 1969 of the Legislature of Alabama so as to change the definition of "Utility" as said definition appears in said Section 1.

Also:

S. 209. To implement, when ratified, the provisions of that certain Constitutional Amendment proposed by the Legislature of Alabama in ..... adopted at the 1969 Regular Session of the Legislature of Alabama and that authorizes the State, in promoting and aiding the commercial flow of agriculture products within the State or in aid of commerce and use of the waterways of the State, to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating within the State or along navigable streams and waterways now or hereafter existing within the State all manner of elevators, facilities, warehouses, docks, water and rail terminals and other structures and facilities and improvements needful for the convenient use of the same, and to incur indebtedness and issue bonds for said purpose; to implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 262 adopted at 1967 Regular Session of the Legislature of Alabama; to implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 151 adopted at the 1957 Regular Session of the Legislature of Alabama; to authorize the State to engage in such works of internal improvement at an additional cost of not exceeding $10,000,000; to designate the Alabama State Docks Department and any department or agency of the State that may succeed to its functions as the Agency to undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of said Department in connection therewith; to authorize the State to become indebted to the extent of not exceeding $10,000,000 in principal amount to carry out the provisions of this Act and to issue its interest bearing direct general obligation bonds therefor; to prescribe in general the terms of such bonds and the method and manner of the sale and issuance thereof; to exempt the same and the interest thereon from taxation; to provide for the payment for any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide for the refunding of any bonds issued under this Act; to provide for investment of the proceeds of any bonds issued hereunder and other funds received under this Act, pending the need for such funds; to provide for the use of funds obtained from the operation of improvements constructed

with proceeds of any bonds issued hereunder; to make appropriation for payment of the principal and interest on bonds issued under the 1969 Docks Amendment, the 1967 Docks Amendment and the 1957 Docks Amendment from the General Fund of the State; to provide for the acquisition of property for the purpose of this Act and for the exercise of the power of eminent domain with regard thereto; to prescribe the powers and duties of the Governor, the said Department and other officers of the State in carrying out the provisions of this Act; to authorize the said Department to fix and collect reasonable rates and charges for services rendered by, and for use of, facilities established pursuant to this Act; to require the maintenance of records of the total cost of, the gross revenues from, and the expenses of operating, each unit of development acquired, constructed, or operated pursuant to the provisions of this Act, or Act No. 264 adopted at the 1967 Regular Session of the Legislature, Act No. 311 adopted at the 1957 Regular Session of the Legislature, Act No. 98 adopted at the 1959 Regular Session of the Legislature, Act No. 716 adopted at the 1961 Regular Session of the Legislature, or Act No. 192 adopted at the 1963 Regular Session of the Legislature; and to provide that surplus revenues derived from operation of the State Docks facilities at the Port of Mobile shall be used to meet operating deficits of the facilities constructed under said 1969 Docks Amendment, said 1967 Docks Amendment, or said 1957 Docks Amendment.

Also:

S. 210. To propose an amendment to the Constitution of Alabama authorizing the State to engage in works of internal improvement in promoting and aiding the commercial flow of agricultural products within the State or to engage in works of internal improvement along navigable waterways within the State; authorizing the State to become indebted for not exceeding $10,000,000 aggregate principal indebtedness in connection therewith and authorizing pledge of the faith and credit of the State to secure the repayment of such indebtedness and interest thereon.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

S. 201. To regulate the business of buying and selling livestock by requiring persons engaged in such business to be licensed and bonded; prescribing the method of determining the amount of said bond; authorizing the Commissioner of Agriculture and Industries to promulgate rules and regulations to effectuate this act, and providing a penalty for violations.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 19; Nays 1.

Yeas:

Messrs.:	Childs	Harris	Oden
Adams	Clark	Leonard	Pierce
Bailes	Cooper	McCarley	Radney
Branyon	Dominick	Morrow	Skidmore
Carr	Goodwyn	Nabors	Vacca

—19

Nay: Mr. Turner —1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Stubbs:

H. 830. To alter, redefine and reduce the corporate limits of the Town of Vincent in Shelby County so as to exclude therefrom certain territory.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, redefine and reduce the corporate limits of the Town of Vincent in Shelby County so as to exclude therefrom certain territory.

Be It Enacted by the Legislature of Alabama:

Section 1. The corporate limits of the Town of Vincent in Shelby County are hereby altered, redefined and reduced so as to exclude from the boundaries of said town the following described territory:

The East one-half of Section 24; the South one-half of the West one-half of Section 24; the North one-half of the West one-half of Section 25; the East one-half of Section 26; and that portion of the East one-half of Section 35 which lies North of the present corporate boundary limits of the Town of Vincent; all being situated in Township 18 South, Range 2 East, Shelby County, Alabama.

Section 2. All laws or parts of laws in conflict with this act are hereby repealed; and Act No. 104, H. 171, of the Special Session of 1967 (Acts 1967, p. 136) is hereby specifically repealed.

Section 3. This act shall become effective on the first day of the first month following the date of its enactment.

THE STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law, deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed.

has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: May 22, 29, 1969, June 5, 12, 1969.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 13th day of June, 1969.

CONRAD M. FOWLER,
Judge of Probate.

Also:

By Messrs. Weeks, Money, Sessions, Dill, Cherner, Yeilding, Gloor, Kilgore, Jackson (T), Meeks and House:

H. 822. To amend the title and Section 1 of Act No. 821 of the 1965 Regular Session of the Legislature of Alabama, regulating the fluoridation of water supplies in counties having a population of 400,000 according to the last or any succeeding federal census.

Also:

By Mr. Burgreen:

H. 794. To alter, rearrange, extend and redefine the boundaries and corporate limits of the Town of Ardmore in Limestone County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, extend and redefine the boundaries and corporate limits of the Town of Ardmore in Limestone County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of Ardmore in Limestone County, Alabama, are hereby altered, rearranged, extended and redefined so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other additional and adjacent territory in said county, so as to include within said corporate limits all of the lands described as lying within the following description:

A tract of land lying and being in Sections 3, 4 and 5, Township, 1 South, Range 3 West, in Limestone County, Alabama, more particularly described as beginning at the northeast corner of said Section 3, also a point on the Alabama-Tennessee State Line; thence South along the East boundary of said Section 3, 5280 feet, more or less, to the southeast corner of said Section 3; thence West along the south boundary of said Sections 3 and 4, 10560 feet, more or less, to the southwest corner of said Section 4; thence continue West along the south boundary of said

Section 5, 105 feet, more or less, to the center of the L & N Railroad tracks; thence North 24 degrees 31 minutes East along the center of said Railroad tracks, 2900 feet, more or less, to a point on the one-half section line running East and West through said Section 4; thence West along said one-half section line of said Section 4 and the one-half section line running East and West through said Section 5, 1680 feet, more or less, to a point; thence North and parallel with the east boundary of said Section 5, 2630 feet, more or less, to the north boundary of said Section 5 and a point on said State Line; thence East along the north boundary of said Sections 5, 4 and 3, 11060 feet, more or less, to the point of beginning.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective on October 1, 1969.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
LIMESTONE COUNTY.

Personally appeared before me the undersigned authority in and for said county and state, Baylis Hightower, who after being duly sworn, deposes and says:

My name is Baylis Hightower. I am Treasurer of the Athens News Courier, a newspaper of general circulation, published semi-weekly in Athens, Limestone County, Alabama. The copy of publication hereto attached was published in said paper for four (4) consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 22nd day of April, 1969, and the last copy of said publication appearing in the said paper on the 13th day of May, 1969.

BAYLIS HIGHTOWER.

Sworn and subscribed to before me this 2nd day of June, 1969.

LOLA L. ORE,
Notary Public.

My commission expires 8-23, 1971.

Also:

By Mr. Fite:

H. 851. Relating to counties having populations of not less than 14,500 nor more than 14,900; to provide for the qualifications of the superintendent of education in any such county.

Also:

By Messrs. Merrill, Lybrand and Burgess:

H. 859. Relating to Calhoun County; authorizing municipalities in said county to pay hospital and medical expenses of any municipal employee injured in line of duty.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CALHOUN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Section 1. The commission, council, or other like governing body of any municipality in Calhoun County is authorized to pay out of the general funds of the municipality, all necessary medical bills, doctor's bills, hospital bills, x-ray bills and drug bills, incurred by an employee of such municipality in the treatment of injuries received by such employee in the performance of his or her duty for the municipality. The governing body may, upon determination that said injuries were in fact received in line of duty may make an award to the municipal employee, or may authorize payment directly to physicians, hospitals, or medical facilities, upon submission of valid bills of services rendered to the employee.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Phillip A. Sanguinetti, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the The Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 15, May 22, May 29, and June 5, all in the year 1969.

PHILLIP A. SANGUINETTI.

Sworn to and subscribed before me June 22, 1969.

LOLA J. BRIGHT,
Notary Public.

Also:

By Messrs. Manley and Pruitt:

H. 868. Relating to Perry County; to provide an allowance for clerk hire and expenses for the Tax Collector and the Tax Assessor of Perry County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
PERRY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Perry County; to provide an allowance for clerk hire and expenses for the Tax Collector and the Tax Assessor of Perry County, Alabama.

Section 1. The Tax Assessor and the Tax Collector of Perry County may each appoint a clerk to assist in the performance of the duties of his office. Each clerk so appointed shall be entitled to receive a salary not to exceed $2400.00 per annum. The allowance shall be paid from the general funds of the county in such manner as the governing body of the county may direct.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall take effect on the first day of the month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Albert Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1969.

ALBERT STEWART.

Sworn to and subscribed before me June 19, 1969.

ELIZABETH F. STEWART,
Notary Public, Perry Co., Ala.

Also:

By Messrs. Manley and Pruitt:

H. 869. Relating to Perry County; to provide an allowance for clerk hire and expenses for the Circuit Court Clerk of Perry County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
PERRY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Perry County; to provide an allowance for clerk hire and expenses for the Circuit Court Clerk of Perry County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The Circuit Court Clerk of Perry County may appoint a clerk to assist in the performance of the duties of the office of the Circuit Court Clerk. The clerk so appointed shall be entitled to receive a salary not to exceed $2400.00 per annum. The allowance shall be paid from the general funds of the county in such manner as the governing body of the county may direct.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall take effect on the first day of the month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Albert Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1969.

ALBERT STEWART.

Sworn to and subscribed before me June 19, 1969.

ELIZABETH F. STEWART,
Notary Public, Perry Co., Ala.

Also:

By Mr. Williams:

H. 871. To alter, rearrange and extend the boundary lines of the City of Scottsboro, Jackson County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
JACKSON COUNTY

Pursuant to the Constitution and laws of the State of Alabama, notice is hereby given of the intention to apply to the Legislature of Alabama for the passage and enactment of a local law, the substance of which is as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines of the city of Scottsboro, Jackson County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits

and also certain other territory contiguous thereto, in Jackson County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines of the City of Scottsboro, Jackson County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, so that the corporate limits of said City of Scottsboro shall hereafter be comprised of all the territory lying within the following described boundaries situated in Jackson County, Alabama, to-wit:

Begin at the Southwest corner of the Southeast quarter of the Southeast quarter of Section 27, Township 5 South, Range 5 East, thence run Northwest through Sections 27 and 22, Township 5 South, Range 5 East to the Northwest corner of said Section 22; thence run North along the West lines of Sections 15 and 10, Township 5 South, Range 5 East to the Northwest corner of said Section 10; Thence run East along the North lines of Sections 10 and 11, Township 5 South, Range 5 East to the Northeast corner of the Northwest quarter of the Northeast quarter of said Section 11; thence run in a Northerly direction and parallel to the East boundary of Section 2, Township 5 South, Range 5 East, crossing said Section and Sections 35 and 26, Township 4 South, Range 5 East to the Northwest corner of the Northeast quarter of the Northeast quarter of Section 26, Township 4 South, Range 5 East; thence North along the West boundary of the East half of the Southeast quarter of Section 23, Township 4 South, Range 5 East to the South right of way line of the Lee Highway; thence Northwest along the South right of way of the Lee Highway to the West boundary of the East half of said Section 23; thence run North along the West boundary of the East half of said Section 23 and to the South right of way line of the Old Larkinsville Road; thence run West along the South right of way of the Old Larkinsville Road one-fourth mile and to the West boundary of the Northeast quarter of the Northwest quarter of said Section 23; thence run North along the West boundary of said Northeast quarter of the Northwest quarter of said Section 23, and along the West boundary of the Southeast quarter of the Southwest quarter of Section 14, Township 4 South, Range 5 East to the North boundary of the South half of the South half of Section 14, Township 4 South, Range 5 East; thence East along the North boundary of the South half of the South half of said Section 14 to the West boundary of the East half of the Southeast quarter of said Section 14; thence run North along the West boundary of the East half of the Southeast quarter of said Section 14 to the Northwest corner thereof; thence East to the center of Section 13, Township 4 South, Range 5 East; thence Southeast to the Southeast corner of said Section 13; thence run East with the North line of Sections 19 and 20, Township 4 South, Range 6 East and to the Northwest right of way line of the Southern Railroad at or near the Northeast corner of said Section 20; thence run Northeast along the Northwest right of way line of the Southern Railroad to the East boundary of the West half of the West half of Section 16, Township 4 South, Range 6 East; thence North to the Southeast corner of the Northwest quarter of the Northwest quarter of said Section 16; thence West to the West boundary of said Section 16; thence North to the Northwest corner of said Section 16; thence West to the Southwest corner of the Southeast quarter of the Southeast quarter of Section 8, Township 4 South, Range 6 East; thence North to the Northwest corner of said Southeast quarter of the Southeast quarter; thence East with the North boundary of the South half of the South half of Sections 8 and 9, Township 4 South, Range 6 East to the East boundary of the West half of said Section 9; thence run North to the center of said Section 9; thence run East to the Northeast corner of the West half of the Southeast quarter of said Section 9; thence South to the South boundary of said Section 9; thence West along the South

boundary of said Section 9, 2279.6 feet to the west right of way line of McFoilton Lane; thence run South 17 degrees 11' West 497.2 feet and to the Southeast corner of Lot 10, Block 2A of the Patrick Investment Company Property according to a survey made by B. M. Ballard dated April, 1965; thence run South 72 degrees 49' East 298.7 feet; thence South 85 degrees East 568 feet and to the West right of way line of a County Road; thence run South 0 degrees 22' West along the West right of way line of said County Road 940.2 feet; thence run North 89 degrees 08' West 539.5 feet; thence run South 73 degrees 0' West 265.5 feet; thence run South 0 degrees 05' West 213.3 feet and to the North right of way line of McFoilton Lane; thence run along the North right of way line of McFoilton Lane North 73 degrees East 349.2 feet and South 89 degrees 08' East 613 feet and to the East right of way line of a County Road at or near the Southern Railroad right of way; thence run Southeast along the East right of way of said County Road to the Southeast right of way line of the Southern Railroad; thence run Southwest along the Southeast right of way line of the Southern Railroad to the South boundary of the North half of said Section 16; thence East to the middle of said Section 16; thence North along the West boundary of the East half of said Section 16, 575 feet; thence run East 675 feet; thence run North to the North right of way of a county road; which right of way is the South boundary of Estate No. 13 of the Rural Estates Subdivision as the same is shown by a map or plat thereof recorded in Town Plat Book "A" at page 198 in the office of the Probate Judge of Jackson County, Alabama; thence run East along the North right of way line of said County Road to a branch which is shown on said plat crossing said Estate No. 13; thence run in a Northeasterly direction along said branch as the same meanders to the Northeast boundary of said Estate No. 13; thence run Southeast along the Northeast boundary of said Estate No. 13 to the Northwest right of way line of the Lee Highway; thence run Northeast with the Lee Highway to the East boundary of the West half of the East half of said Section 16; thence run South to the Southwest corner of the Southeast quarter of the Southeast quarter of said Section 16; thence run East to the Southeast corner of said Section 16; thence run South with the East Section line of Sections 21 and 28 of Township 4 South, Range 6 East to the Southeast corner of said Section 28; thence East with South Section line of Section 27, Township 4 South, Range 6 East to the Southeast corner of said Section 27; thence South with East line of Section 34, Township 4 South, Range 6 East and extending said line across McNary Reservation to the Northwest shore line of Guntersville Reservoir of the Tennessee River; thence Southwest with said shore line, passing Comer Bridge to Roseberry Creek Embayment and to where said shore line intersects the East Section line of Section 18, Township 5 South, Range 6 East; thence continue West and Northwest with the meanderings of said shore line to a point where said shore line intersects with the North section line of said Section 18; thence run West with said Section line to the Northwest corner of said Section 18; thence Southwest along a line which if extended would run to the Southwest corner of said Section 23 and run to the point where such line intersects the North line of the South half of said Section 23; thence Southwesterly along a line to the point where the Easterly shore line of a small island intersects the South line of the Southwest quarter of said Section 23; thence continue with the meanderings of the shore line of said island in Section 26, Township 5 South, Range 5 East and in the Riley Reservation to the point where said shore line intersects the West line of the Riley Reservation; thence run South along the West line of the Riley Reservation and to the point of intersection with the shore line of another small island, which island is located partly in the East half of Section 27, Township 5 South, Range 5 East, and partly in the Riley Reservation; thence continue with the meanderings of the shore line of said island in the Riley Reservation and in said Section 27 to the point where the Southernmost shore line of

said island intersects the East line of said Section 27 and the West line of the Riley Reservation; thence run Southwesterly to the Southwest corner of the Southeast quarter of the Southeast quarter of said Section 27, this being the point of beginning.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Fred J. Buchheit, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Sentinel Age, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 22, May 29, June 5, and June 12, all in the year 1969.

FRED J. BUCHHEIT.

Sworn to and subscribed before me June 23, 1969.

EVELYN TUBBS,
Notary Public.

My Commission expires 12 Nov., 1970.

Also:

By Mr. Tuck:

H. 873. To alter and rearrange the boundaries of the City of Eutaw, Greene County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF GREENE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter and rearrange the boundaries of the City of Eutaw, Greene County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Eutaw in the County of Greene be and the same hereby are altered and rearranged so as to include within the corporate limits of said City of Eutaw, Alabama, all of the following described territory, to-wit:

NW¼ of NE¼ of Section 3, N½ of NW ¼ of Section 3, N½ of NE¼ of Section 4, E½ of NE¼ of NW ¼ of Section 4, NW¼ of NE¼ of Section 5, N½ of NW¼ of Section 5, all in Township 21 North, Range 2 East.

All of Section 34, E½ of Section 33, E½ of SE¼ of SW¼ of Section 33, N½ of SW¼ of Section 33, NW¼ of Section 33, S½ of Section 32, S½ of N½ of Section 32, NE¼ of NE¼ of Section 32, S½ of Section 28, E½ of SE¼ of Section 29, SE¼ of NE¼ of Section 29, NW¼ of Section 35, W½ of W½ of NE¼ of Section 35, NW¼ of SW¼ of Section 35, all in Township 22 North, Range 2 East.

Section 2. All laws and parts of laws, either general or special, in conflict with the provisions of this Act be and the same are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT

STATE OF ALABAMA
GREENE COUNTY

Before me personally appeared Richard K. Martin, who being duly sworn, states on oath, that he is publisher of the Greene County Democrat, a newspaper published weekly, in Greene County, Alabama, and that the attached notice in re: A Bill to be entitled an Act, extension of city limits was published in said Greene County Democrat for 4 consecutive weeks, viz: May 22, 1969, May 29, 1969, June 5, 1969, June 12, 1969.

RICHARD K. MARTIN.

Sworn to before me, this 23rd day of June, 1969.

ETTA L. FISHBURNE,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 830, 794, 851, 859, 868, 869, 871 and 873. To the Committee on Local Legislation No. 1.

H. B. 822. To the Committee on Local Legislation No. 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 503. Relating to Wilcox County; to amend further Act No. 436, S. 397, Regular Session 1939 (Loc. Acts 1939, p. 261), an act which provided further for the duties, power, authority, and compensation of the members of the Court of County Commissioners of Wilcox County.

Also:

S. 504. To amend Act No. 192, H. 652, Regular Session 1955 (Acts 1955, p. 477), an act which authorizes and requires the governing body of Wilcox County to pay the clerk hire of certain county officers.

Also:

S. 513. Relating to the Thirty-first Judicial Circuit; extending the powers, authority and duties of the District Attorney of any such Judicial Circuit so as to empower, authorize and require that such District Attorney supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary, in any and all inferior courts located and constituted in the county composing any such judicial circuit; creating the office of deputy District Attorney for any such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of such deputy District Attorney and for his compensation, and further providing that such compensation shall be paid out of the general fund of the county composing any such judicial circuit; authorizing the District Attorney of such circuit to appoint a stenographic secretary, and providing for the payment of said secretary's compensation from the general funds of the county constituting such circuit; providing for the supplemental compensation of the District Attorney of the 31st Judicial Circuit and that such supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Stubbs:

H. 829. To provide for an advisory referendum relative to the election of the superintendent of education of Shelby County; and to provide for the appointment or election of the county superintendent of education of such county in the manner favored at such referendum.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for an advisory referendum relative to the election of the superintendent of education of Shelby County; and to provide for the appointment or election of the county superintendent of education of such county in the manner favored at such referendum.

Be It Enacted by the Legislature of Alabama:

Section 1. At the first special constitutional amendment election held in Shelby County after the adjournment of this session of the legislature, there shall be submitted to the qualified voters of Shelby County, at a referendum election held for the purpose, the question of whether the county superintendent of education shall continue to be elected by vote of the people or shall be appointed by the county board of education as provided in the general law. The court of county commissioners, board of revenue, or other like county governing body shall call the election and provide for holding the same. The question to be submitted shall be stated on the ballots used at the election substantially as follows: "Do you favor continued election of the county superintendent of education by the voters of Shelby County?"

Section 2. The referendum election provided for in Section 1 shall be called, held and conducted as nearly as may be in the manner prescribed in Article 4 of Chapter 10, Title 52, Code 1940 providing for elections on levying county school taxes, but no petition of electors or request of the county board of education shall be required to initiate the proceedings. When the results of the election have been canvassed, the probate judge of the county shall certify the same to the secretary of state.

Section 3. If a majority of those voting at said referendum vote for the continued election of the county superintendent of education, then the remainder of this act shall have no force or effect. The office of county superintendent of education shall not be affected by this act; and the county superintendent of education shall continue to be elected in the manner prescribed by law and such office shall continue to be governed in all matters by the laws applicable thereto when this act becomes law.

Section 4. If a majority of those voting at said referendum vote against continued election of the county superintendent of education, then after the expiration of the term of office of the incumbent superintendent his successors shall be appointed by the county board of education as prescribed by Code of Alabama 1940, Title 52, Section 102, and thereafter the county superintendent of education of Shelby County appointed by the county board of education shall be the chief executive officer of the county school system and shall be charged with the same duties and shall exercise the same powers and authority as are now or as may hereafter be prescribed by the general laws of this State for county superintendents of education. His compensation shall be fixed by the county board of education and he shall be paid at the time and in the manner prescribed by the general law for paying county superintendents of education. The county board of education shall determine the amount of office help necessary for the county superintendent of education and the board shall fix the compensation and the time and manner of paying such office help. The county superintendent of education shall have authority to select such office help as may be provided by the county board of education. The expenses of the county superintendent of education shall be furnished by the county board of education as provided in the general law and allowances for his office may be made by the county board of education as provided in the general law.

Section 5. THe provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. Act No. 101, H. 498 of the Extra Session of 1932 (Local Acts 1932, Extra Session 1932, P. 45) and all acts amendatory thereof

are hereby repealed. Any and all other laws or parts of laws in conflict herewith are also repealed.

Section 7. Sections 1 and 2 of this act shall become effective immediately upon the passage and approval of this act by the Governor, or its otherwise becoming law. If a majority of the qualified electors voting in such referendum vote "yes" in answer to the question submitted, then Section 3 of this act shall become effective on the date on which the result of such referendum is proclaimed; and the remainder of the act shall thereupon have no further force or effect. If a majority of the qualified electors voting in such referendum vote "no," then Section 3 of this act shall have no force or effect and the remainder of the act shall become effective on the date on which the result of the election is proclaimed.

THE STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law, deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: May 22, 29, 1969, June 5, 12, 1969.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 13th day of June, 1969.

CONRAD M. FOWLER,
Judge of Probate.

Also:

By Mr. Tuck:

H. 847. To provide for reimbursing the members of the county governing bodies of all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 829 and 847. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Crawford and Stembridge:

H. 255. Relating to counties having a population of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

Also:

By Mr. Crawford:

H. 594. Relating to counties having a population of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census; fixing the compensation of the superintendent of education in such counties.

Also:

By Messrs. Culver, Robertson, Bank and Brown:

H. 667. To amend Act No. 491, S. 444 of the Regular Session of 1961 (Acts, 1961 Regular Session, p. 563) which provides for a commission form of government for cities having populations of not less than 60,000 nor more than 70,000 according to the most recent federal decennial census, in relation to the compensation of the chairman and associate members of the commission.

Also:

By Messrs. Brown, Culver, Bank and Robertson:

H. 688. To provide for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judicial Circuit of Alabama.

Also:

By Messrs. Berryman (W) and Graham:

H. 694. Relating to Franklin County; providing for reimbursement of actual expenses of travel to members of the board of revenue when traveling out of the county on county business; and providing for retroactive effect of this act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF FRANKLIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Franklin County; providing for reimbursement of actual expenses of travel to members of the board of revenue when traveling out of the county on county business; and providing for retroactive effect of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the board of revenue of Franklin County shall be entitled to reimbursement for all reasonable and necessary actual expenses of travel when traveling out of the county on business of the county. A sworn statement of such expenses with the dates on which they were incurred shall be submitted to the probate judge not later than 30 days after the incurrence of such expenses and shall be paid out of the general funds of the county upon the warrant of the probate judge that such payment is due. The expenses of travel provided for in this act shall be in addition to the reguar expense allowance provided in Act No. 206, H. 337, Regular Session 1967 (Acts 1967, p. 570).

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law; however, it shall authorize reimbursement for travel expenses incurred on and after June 1, 1969.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 15, May 22, and May 29, and June 5, all in the year 1969.

CLAUDE E. SPARKS.

Sworn to and subscribed before me June 9, 1969.

MAE G. STREIT,
Notary Public.

Also:

By Messrs. Beck and Meade:

H. 785. Relating to counties having populations of not less than 38,000 nor more than 45,000; authorizing an appropriation from the treasury of any such county for the relief of Eurell Bailey.

Also:

By Messrs. Brassell, Turnham and Higginbotham:

H. 804. Relating to counties having populations of not less than 46,000 nor more than 46,500; to provide further for the compensation of certain bailiffs in such counties.

Also:

By Messrs. Graham and Berryman (W):

H. 815. Relating to the Thirty-first Judicial Circuit; extending the powers, authority and duties of the District Attorney of any such Judicial Circuit so as to empower, authorize and require that such District Attorney supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary, in any and all inferior courts located and constituted in the county composing any such judicial circuit; creating the office of deputy District Attorney for any such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of such deputy District Attorney and for his compensation, and further providing that such compensation shall be paid out of the general fund of the county composing any such judicial circuit; authorizing the District Attorney of such circuit to appoint a stenographic secretary, and providing for the payment of said secretary's compensation from the general funds of the county constituting such circuit; providing for the supplemental compensation of the District Attorney of the 31st Judicial Circuit and that such supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Also:

By Mr. Steagall:

H. 828. To authorize and provide for the establishment, maintenance, operation, and financing of a public law library in Dale County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
DALE COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application made for its passage and enactment towit:

A BILL
TO BE ENTITLED
AN ACT

TO AUTHORIZE AND PROVIDE FOR THE ESTABLISHMENT, MAINTENANCE, OPERATION, AND FINANCING OF A PUBLIC LAW LIBRARY IN DALE COUNTY, ALABAMA.

Be It Enacted by the Legislature of Alabama:

SECTION 1. The governing body of Dale County, Alabama, is hereby fully authorized to establish and maintain a public law library in said County, and to accomplish said purpose, may from time to time expend such public funds of said County as are not required by law to be expended for any other purpose or purposes. It may provide suitable housing quarters, furniture, fixtures, and equipment therefor; keep the same in a good state of repair; and from time to time enlarge, expand, and improve such library, facilities and equipment; and from time to time provide such books, reports, and periodicals for said library as are not provided for out of the special funds created for by this Act or other-

wise, all of which expenditures shall be made on warrants drawn in the usual manner, upon the County, payable out of the appropriate fund or funds;

SECTION 2. The Clerk of the Circuit Aourt of Dale County shall pay into the County treasury, for the use and benefit of the Dale County Public Law Library Fund & all solicitors' fees collected in the trial of cases in the Circuit Court of said County;

SECTION 3. The Dale County Law Library Fund shall be expended by the presiding Judge of the Circuit Court of Dale County for maintaining said library. Said Judge shall draw warrants on the County for expenditures by him, indicating on the warrants the fund against which the warrants are drawn. Said fund shall be used primarily to purchase such books and periodicals, and to pay the salaries of such personnel as may, in the opinion of the said Judge, be advisable, but to the extent not so used, such funds may be otherwise expended for the maintenance of the library. The management of the library is vested in said Judge and all books and other property purchased with the funds produced by this Act shall be the property of Dale County, Alabama; provided, however, that the Judge may from time to time sell or exchange any such books, reports, periodicals, and personal property for use in said library and said Judge may accept for said Dale County Public Law Library any gift or loan of any books, reports, periodicals, and property for public use in said library upon such terms and conditions as may be stipulated by the donor or lender thereof and as may be agreeable to the said Judge. Said Judge may appoint such personnel as may be necessary or proper to operate said library, and to the extent that circumstances permit, may designate the Court Reporer, the Clerk of the Circuit Court, The Register of the Circuit Court in Equity, or one or more deputy Circuit Clerks, or registers, to operate the same or to assist therein;

SECTION 4. If any sentence, clause, provision or section of this Act be declared invalid, the invalidity thereof shall not affect the validity of any other portion or provision of this Act, it being the intention to enact into law so much hereof as may validly become law, irrespective of the invalidity of portions hereof.

SECTION 5. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1969.

JOHN Q. ADAMS.

Sworn to and subscribed before me June 19, 1969.

VIRGINIA J. BROADHURST,
A Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 255, 594, 667, 688, 694, 785, 804 and 828. To the Committee on Local Legislation No. 1.

H. B. 815. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Higginbotham, Turnham and Brassell:

H. 876. To amend further Act No. 394, H. 828, Regular Session 1961, an act providing deputies and assistants for the sheriff of Lee County in relation to the number and compensation of such deputies and assistants.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 394, H. 828, Regular Session 1961, an act providing deputies and assistants for the sheriff of Lee County in relation to the number and compensation of such deputies and assistants.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 394, H. 828, Regular Session 1961, (Acts 1961, p. 406) an act providing for deputies and assistants to the sheriff of Lee County, as amended, is further amended to read as follows:

"Section 1. The board of revenue, court of county commissioners or other like governing body of Lee County shall provide the sheriff of the county with one chief deputy, one assistant chief deputy, and two assistant deputies and in its discretion four additional assistant deputies, three jailers and one deputy clerk. The chief deputy shall receive not more than $600.00 monthly; the assistant chief deputy shall receive not more than $500.00 monthly; each assistant deputy shall receive not more than $470.00 monthly; each jailer shall receive not more than $350.00 monthly; and the deputy clerk shall receive not more than $250 monthly. The exact amount of compensation to be paid to each of such deputies and assistants shall be fixed by the county governing body and shall be paid out of the general fund of the county."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. L. Blackmon, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Opelika Daily News, Inc., a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 5-12, 5-19, 5-26, and 6-2, all in the year 1969.

W. L. BLACKMON.

Sworn to and subscribed before me June 10, 1969.

DOROTHY W. MITCHELL,
Notary Public.

Also:

By Messrs. Manley and Pruitt:

H. 898. To amend Act No. 109, H. 379, Regular Session of 1951 (Acts 1951, Vol. 1, page 334). To impose extra, new and additional duties upon each member of the Court of County Commissioners of Perry County, Alabama and to provide additional compensation for the performance of such duties, and the method of payment of such compensation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
PERRY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To Amend Act No. 109, H. 379, Regular Session of 1951 (Acts 1951, Vol. 1, page 334). To impose extra, new and additional duties upon each member of the Court of County Commissioners of Perry County, Alabama and to provide additional compensation for the performance of such duties, and the method of payment of such compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. That in addition to all other duties now imposed upon them by law the following extra, new and additional duties are hereby imposed upon the members of the Court of County Commissioners of Perry County:

(2) The Court shall hold regular meetings during the second and fourth weeks in each month of the year, on a day to be determined from time to time, by the Court, and at such other times as are now provided by law.

(b) Each member of the said Court shall superintend the construction and maintenance of all public roads and bridges in his or her district, and shall make such reports of his or her activities to the Court from time to time, as may be necessary to keep the Court informed as to the condition of the public roads and bridges in his or her district.

Section 2. Each member of the Court shall be entitled to receive the sum of One Hundred Dollars a month for the performance of the duties imposed upon him by this Act, which said compensation shall be in lieu of all other compensation heretofore provided for by law, and shall be payable in the same manner and from the same funds as is now provided for by law.

(b) All payments heretofore made for services performed under this Act, are hereby validated and confirmed.

Section 3. This Act shall become effective on the first day of the first month, next after its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Albert Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1969.

ALBERT STEWART.

Sworn to and subscribed before me June 19, 1969.

ELIZABETH F. STEWART,
Notary Public,
Perry Co., Ala.

Also:

By Messrs. Starnes, McDonald and Drake:

H. 878. Relating to Marshall County; providing further for the salary and other allowances for the register of the circuit court; repealing conflicting laws and specifically repealing conflicting provisions of Act No. 293, H. 801, Regular Session 1963 (Acts 1963, p. 754) as amended, an act changing the method of compensating certain officers of Marshall County, and specifically repealing Act No. 350, of the Regular Session of the 1965 Legislature.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marshall County; providing further for the salary and other allowances for the register of the circuit court; repealing conflicting laws and specifically repealing conflicting provisions of Act No. 293, H. 801, Regular Session 1963 (Acts 1963, p. 754) as amended, an act changing the method of compensating certain officers of Marshall County, and specifically repealing Act. No. 350, of the Regular Session of the 1965 Legislature.

Be It Enacted by the Legislature of Alabama:

Section 1. The register of the circuit court of Marshall County shall receive an annual salary of ten thousand dollars ($10,000).

Section 2. The governing body of Marshall County shall provide the register a maximum of ten thousand dollars ($10,000) per annum for the purpose of hiring clerks, deputies and other assistants necessary for the operation of the office of the register.

Section 3. The salary and office allowance provided in this act shall be paid in monthly installments from the county treasury in the same manner as employees of the county are paid.

Section 4. All laws and parts of laws in conflict with this act are hereby repealed and all conflicting provisions with respect to the compensation of the register of the circuit court contained in Act No. 293, H. 801, Regular Session 1963 (Acts 1963, p. 754) as amended, and contained in Act. No. 350 of the Regular Session of the 1965 Legislature are specifically repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ewell H. Reed, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Published of the Arab Tribune, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 15, May 22, May 29, and June 5, all in the year 1969.

EWELL H. REED.

Sworn to and subscribed before me June 12, 1969.

WYNELLE HAYES,
Notary Public.

Also:

By Messrs. Manley and Pruitt:

H. 896. To apply only in counties having populations of not less than 27,000 nor more than 30,000; providing expense allowances for members of the county board of equalization payable from the general funds of the county; and giving the act retroactive effect.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 876, 898, 878 and 896. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cook (Jefferson), Bowers, Meeks, Waggoner, Holman, Kilgore, Jackson (T), Gloor, Adwell, House, Sessions, Dill, Crane, Cherner and Gafford:

H. 941. For the relief of Bertha Mae Rhodes, individually and as Guardian for Douglas Clell Rhodes and Cathy Ann Rhodes, the widow and minor children of Clell Rhodes, an employee of Jefferson County, who died on September 22, 1965, as the proximate result of injuries sustained while engaged within the scope of his duties as an employee of Jefferson County, and to provide for the payment of Three Thousand Dollars ($3,000.00) for such relief out of such moneys and funds as may be constitutionally available.

With notice and proof thereto attached and herewith exhibited as follows:

Notice of intention to apply for passage of a Local Law in the 1969 Regular Session of the Legislature of Alabama.

A BILL
TO BE ENTITLED
AN ACT

For the relief of Bertha Mae Rhodes, individually and as Guardian for Douglas Clell Rhodes and Cathy Ann Rhodes, the widow and minor children of Clell Rhodes, an employee of Jefferson County, who died on September 22, 1965, as the proximate result of injuries sustained while engaged within the scope of his duties as an employee of Jefferson County, and to provide for the payment of Three Thousand Dollars ($3,000.00) for such relief out of such moneys and funds as may be constitutionally available.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie, who, being by me first duly sworn, deposes and says that she is the Publisher of Alabama Legal Advertiser, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And

that there was published in said newspaper in the issues of June 7, 14, 21, 28, 1969, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 30th day of June, 1969.

KAREN W. ABERCROMBIE,
Notary Public.

Also:

By Messrs. Cook (Jefferson), Sessions, Hoose, Waggoner, Holman, Ellis, Adwell, Yeilding, Money, Weeks and Watkins:

H. 942. To levy in Jefferson County a privilege or license tax on persons, corporations, partnerships, firms, associations and other entities engaged in the business of renting or furnishing rooms, lodgings or accommodations, in any hotel, motel, inn, tourist court, or any other place in which rooms, lodgings or accommodations are rented or furnished for a consideration, and also a privilege or license tax on persons engaged in the business of renting or furnishing space for the accommodation of trailers; to provide the amount or rate of the aforesaid taxes; to provide for certain exemptions from the taxes so levied; to provide for the method of collecting and enforcing the said taxes; to provide that the Director of Revenue of the County shall collect the taxes levied by this act; to provide that the said Director of Revenue shall pay one percent (1%) of the total amount of the said taxes collected by him to the treasury of the County, as compensation to the County for expenses incurred by the County in the collection of said taxes and in the administration and enforcement of this act; to provide that the said director of Revenue shall pay all of the proceeds of the taxes, except the one percent (1%) deducted as aforesaid, to the convention and tourism authority of the County created by that certain act adopted during the Regular Session of the Legislature of Alabama of 1969, which provides for a convention and tourism authority in counties of the state having a population of 500,000 or more according to the last or any subsequent Federal census: to repeal all ordinances of any municipalities within the County imposing, or levying, any license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the charges made for rooms, lodgings or accommodations; to provide that the aforesaid repeal of municipal ordinances shall not impair the power of the governing body of any municipality to re-enact any ordinance hereby repealed, or to enact any new or different ordinance imposing, or levying, a license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the total charges made for rooms, lodgings or accommodations; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the Act.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that at the Regular Session of the Legislature of 1969, now convened, application will be made for adoption of the following Act:

A BILL
TO BE ENTITLED
AN ACT

To levy in Jefferson County a privilege or license tax on persons, corporations, partnerships, firms, associations and other entities engag-

ed in the business of renting or furnishing rooms, lodgings or accommodations, in any hotel, motel, inn, tourist court, or any other place in which rooms, lodgings or accommodations are rented or furnished for a consideration, and also a privilege or license tax on persons engaged in the business of renting or furnishing space for the accommodation of trailers; to provide the amount or rate of the aforesaid taxes; to provide for certain exemptions from the taxes so levied, to provide for the method of collecting and enforcing the said taxes; to provide that the Director of Revenue of the County shall collect the taxes levied by this act; to provide that the said Director of Revenue shall pay one percent (1%) of the total amount of the said taxes collected by him to the treasury of the County, as compensation to the County for expenses incurred by the County in the collection of said taxes and in the administration and enforcement of this act; to provide that the said director of Revenue shall pay all of the proceeds of the taxes, except the one percent (1%) deducted as aforesaid, to the convention and tourism authority of the County created by that certain act adopted during the Regular Session of the Legislature of Alabama of 1969, which provided for a convention and tourism authority in counties of the state having a population of 500,000 or more according to the last or any subsequent Federal census; to repeal all ordinances of any municipalities within the County imposing, or levying, any license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the charges made for rooms, lodgings or accommodations; to provide that the aforesaid repeal of municipal ordinances shall not impair the power of the governing body of any municipality to re-enact any ordinance hereby repealed, or to enact any new or different ordinance imposing, or levying, a license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the total charges made for rooms, lodgings or accommodations; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only in Jefferson County.

Section 2. As used herein, the words and terms defined in this Section 2 shall have the meanings hereby ascribed to them. "County" means Jefferson County. The term "effective date of the Act" means the first day of the calendar month next following the calendar month in which this Act is adopted.

Section 3. (a) The taxes levied by this act shall become effective, or go into effect, on the first day of the calendar month next following the calendar month in which this Act is adopted.

(b) Commencing on the effective date of the taxes, as specified in subsection (a), above, in addition to all other taxes imposed by law, there is hereby levied and shall be collected by the Director of Revenue as herein provided a privilege or license tax in the amount hereinafter prescribed against every person engaging in the County in the business of renting or furnishing any room or rooms, lodging or accommodations, to any transients in any hotel, motel, inn, tourist court, or any other place in which rooms, lodgings or accommodations are regularly furnished to transients for a consideration. The Director of Revenue shall deduct and pay to the treasury of the county one percent (1%) of the total amount of the said taxes, to compensate the county for the expenses incurred by it in collecting said taxes and in administering this act. Following that deduction, the Director of Revenue shall pay the remainder of the taxes to the convention and tourism authority of the county created under the Act adopted during the Regular 1969 Session of the Legislature providing for a convention and tourism authority in counties having a population of five hundred

thousand or more. The amount of the tax shall be equal to one percent (1%) of the charge for such rooms, lodgings or accommodations, including the charge for use or rental of personal property and services furnished in such room or rooms. Commencing on the effective date of the taxes there is also hereby levied, in addition to all other taxes now imposed by law, a privilege or license tax, in the amount hereinafter prescribed, against every person engaged in the County in the business of renting or furnishing space for accomodation of trailers. The amount of the last mentioned tax shall be equal to one percent (1%) of the charge for such trailer space.

There are exempted from the provisions of the tax levied by this Section 3 and from the computation of the amount of the tax levied or payable hereunder the following: Charges for property sold or services furnished which are required to be included in the tax levied by Act No. 100 of the Second Special Session of 1959 of the Legislature of Alabama (Ala. Acts 1959, page 298 et seq.), as amended, said Act being commonly referred to as the State Sales Tax Act; boarding houses, tourist homes and similiar establishments regularly offering less than five (5) rooms for rental to transients; charges for the rental of rooms, lodgings or accommodations furnished by any hospital, nursing home, convalescent home or by any charitable or elemosynary institution; charges for the rental of rooms, lodgings or accommodations to a person for a period of thirty (30) continuous days or more; charges for the renting or furnishing of space for the accommodation of a trailer to a person for a period of thirty (30) continuous days or more. The exemption hereby provided shall apply to any property sold or services furnished which are required to be included in any sales tax now or hereafter levied by the State of Alabama.

(c) The taxes levied by this Section 3, except as otherwise provided herein, shall be due and payable on or before the 20th day of the month next succeeding the month in which the tax accrues. On or before the 20th day of each month after the effective date of the taxes every person on whom the tax is levied by this Section 3 shall render to the Director of Revenue on a form prescribed by him, a true and correct statement showing the gross proceeds of the business subject to the said tax for the then preceding month, together with such other information as the Director of Revenue may demand and require; and at the time of making such monthly report the taxpayer shall compute and pay to the Director of Revenue the amount of taxes shown to be due; provided, however, that any person subject to the tax who conducts any business on a credit basis may defer reporting and paying the tax until after said person has received payment for the items, articles or accommodations furnished; and in the event he so defers reporting and paying any such taxes he shall thereafter include in each monthly report all credit collections made during the then preceeding month and shall pay the amount of taxes computed thereon at the time of filing such report.

(d) It shall be the duty of every person engaged or continuing in any business subject to the taxes levied by this Section 3 to keep and preserve suitable records of the gross proceeds of such business and such other books or accounts as may be necessary to determine the amount of tax for which he is liable under the provisions of this act. Such records shall be kept and preserved for a period of five (5) years and shall be open for examination at any time by the Director of Revenue or by any duly authorized agent, deputy or employee of the said Director.

(e) Any person who fails to pay the tax levied by this Section 3 within the time required by this act shall pay in addition to the tax a penalty of ten percent (10%) of the amount of tax due, together with interest thereon at the rate of one-half of one percent (½ of 1%) per

month or fraction thereof from the date on which the tax became due and payable, such penalty and interest to be assessed and collected as a part of the tax; provided, however, that the Director of Revenue may, if good and sufficient reason be shown, waive or remit the penalty or any portion thereof.

Section 4. The failure of any person to pay any tax levied by this act within the time specified for the payment of the same by the act shall constitute a misdemeanor; and the violation of any of the provisions of this act by any person shall constitute a misdemeanor. Any person violating any provision of this act shall upon conviction be punished by fine of not more than five hundred dollars ($500) and may also be sentenced to hard labor for the County for not exceeding six (6) months, either or both, unless a different punishment is prescribed herein.

Section 5. None of the provisions of this act shall be applied in such manner as to violate the commerce clause or other clauses of the Federal Constitution or any clause of the Constitution of Alabama. Should any provision of this act be held invalid, the invalidity thereof shall not affect the remaining provisions of the act.

Section 6. All laws and parts of laws, whether general, special or local, in conflict with the provisions of this act are hereby repealed to the extent of such conflict; provided, however, it is not intended by the provisions of this section to repeal or affect in any way the privilege or license tax levied by any of the following Acts: Act No. 248 of the Regular Session of the Legislature of Alabama of 1955 (Ala. Acts 1955, p. 586), as amended by Act No. 269 of the Regular Session of the Legislature of Alabama of 1963 (Ala. Acts 1963, p. 715), and Act No. 525 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts 1965, p. 775).

Section 7. There are hereby repealed all existing ordinances of all municipalities within the county imposing, or levying any license tax on the hotel, motel or tourist court business based on the gross receipts of such business or on a percentage of the charges made for rooms, lodgings or accommodations. Such repeal of municipal ordinances shall not impair the power of the governing body of any municipality to reenact any ordinance hereby repealed, or to enact any new or different ordinance imposing, or levying, a license tax on the hotel, motel or tourist court business based on the gross receipts of such business or on a percentage of the total charges made for rooms, lodgings or accommodations.

Section 8. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This act shall become effective upon its approval by the Governor or upon its otherwise becoming a law; but the taxes levied by this act shall not go into effect, or become effective, until the date specified in subsection (a) of Section 3 of this act.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie, who, being by me first duly sworn, deposes and says that she is the Publisher of Alabama Legal Advertiser, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918

under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 7, 14, 21, 28, 1969, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 30th day of June, 1969.

KAREN W. ABERCROMBIE,
Notary Public.

Also:

By Messrs. Springer, Harris and Cameron:

H. 916. To amend Section 8 of Act No. 432, H. 937 approved August 7, 1961 to regulate the Office of Sheriff in counties of more than 150,000 population and less than 300,000 population according to the last Federal census or any subsequent Federal census; to authorize the Sheriff to appoint an attorney to advise or represent him; to fix the compensation of said attorney to be paid out of the general fund of the County by the Board of Revenue or like governing body; and providing when this Act shall become effective.

Also:

By Mr. Perloff:

H. 900. To amend Act No. 252, S.198, Special Session 1961, an Act creating the office of license commissioner in counties having populations of not less than 300,000 nor more than 500,000, in order to furnish the license commissioner an automobile and gasoline to be used only as necessary in the performance of the official duties of his office.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 941 and 942. To the Committee on Local Legislation No. 2.

H. B.'s 916 and 900. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Berryman (W) and Graham:

H. 817. To levy additional county privilege license and excise taxes for public school purposes in Franklin County paralleling, with like provisions for the county, such state sales and use taxes levied by Act No.

100, Second Special Session 1959, as amended, and Acts supplemental thereto, and levied by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended, and Acts supplemental thereto; providing for the enforcement and collection of such taxes by the department of revenue and the distribution of the proceeds thereof and providing that this Act supersedes Act No. 516, approved November 19, 1959, Acts of Alabama 1959, Volume 2, page 1267.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To levy additional county privilege license and excise taxes for public school purposes in Franklin County paralleling, with like provisions for the county, such state sales and use taxes levied by Act No. 100, Second Special Session 1959, as amended, and Acts supplemental thereto, and levied by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended, and Acts supplemental thereto; providing for the enforcement and collection of such taxes by the department of revenue and the distribution of the proceeds thereof and providing that this Act supersedes Act No. 516, approved November 19, 1959, Acts of Alabama 1959, Volume 2, page 1267.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby levied in Franklin County, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

(a) Upon every person, firm or corporation engaged or continuing within Franklin County in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidences of debts or stocks, nor sale or sales of material and supplies to any person for use in fulfilling a contract for the painting, repair, or reconditioning of vessels, barges, ships and other watercraft of over fifty tons burden), an amount equal to one percent of the pross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer on the gross sales of the business. Provided that where all the sales of a company are single sales of peanut products, milk products, coffee and confections sold in dispensing machines located in industrial plants or on private property for employees where such machines dispense exclusively articles not to exceed ten cents (10 cents) per sale, and the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10 cents) per sale and shall file with the state department of revenue a sworn statement to that effect and shall keep and maintain records satisfactory to the state department of revenue, the gross receipts tax herein provided for shall not be levied.

(b) Upon every person, firm or corporation engaged or continuing within Franklin County in the business of conducting or operating places

of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theatres, opera houses, moving picture shows, vaudevilles, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution within Franklin County, or any athletic association thereof, or other association whether such institution or association be a denominational, a state or county, or a municipal institution or association or a state, county, or city school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within Franklin County, an amount equal to one percent of the gross receipts of any such business.

(c) Upon every person, firm or corporation engaged or continuing within Franklin County in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property an amount equal to one-half of one percent of the gross proceeds of the sale of such machines; provided, that the term "machines" as herein used shall include machinery which is used for mining, quarrying, compounding, processing or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(d) Upon every person, firm or corporation engaged or continuing within Franklin County in the business of selling at retail any automotive vehicle or truck trailer, semi-trailer or house trailer, an amount equal to one-half of one percent of the gross proceeds of sale of said automotive vehicle or truck trailer, semi-trailer or house trailer; provided, however, where a person subject to the tax provided for in this subsection withdraws from his stock in trade any automotive vehicle or truck trailer, semi-trailer or house trailer for use by him or by his employee or agent in the operation of such business, there shall be paid, in lieu of the tax levied herein, a fee of five dollars per year or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person. Each such year or part thereof shall begin with the day or anniversary date, as the case may be, of such withdrawal and shall run for the twelve succeeding months or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person.

Where any used automotive vehicle or truck trailer, semi-trailer or house trailer is taken in trade or in a series of trades as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

(e) Upon every person, firm or corporation engaged on continuing within Franklin County in the business of selling at retail any machine, machinery or equipment either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating and harvesting farm products or used in connection with the production of agricultural produce or products, livestock, or poultry on farms, and the parts of such machines, machinery or equipment, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machine, machinery or equipment, and which are necessary to and customarily used in the operation of such machine, machinery or equipment, an amount equal to one-half of one percent of the gross proceeds of the sale thereof. Provided, however, the one-half of one

percent rate herein prescribed with respect to parts, attachments and replacements shall not apply to any automotive vehicle or trailer designed primarily for public highway use, except farm trailers used primarily in the production and harvesting of agricultural commodities.

Where any used machine, machinery or equipment, either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating and harvesting farm products or used in connection with the production of agricultural produce or products, livestock and poultry on farms is taken in trade or in a series of trades as a credit or part payment on a sale of a new or used machine, machinery or equipment, the tax levied herein shall be paid on the net difference, that is, the price of the new or used machine, machinery or equipment sold, less the credit for the used machine, machinery or equipment taken in trade.

Section 2. (a) An excise tax is hereby imposed on the storage, use or other consumption in Franklin County of tangible personal property (not including, however, materials and supplies bought for use in fulfilling a contract for the painting, repairing or reconditioning of vessels, barges, ships and other watercraft of more than fifty tons burden) purchased at retail for storage, use or other consumption in Franklin County at the rate of one percent of the sales price of such property, except as provided in subsections (b), (c) and (d).

(b) An excise tax is hereby imposed on the storage, use or other consumption in Franklin County of any machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property purchased at retail at the rate of one-half of one percent of the sales price of any such machine; provided, that the term "machine" as herein used shall include machinery which is used for mining, quarrying, compounding, processing, or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(c) An excise tax is hereby imposed on the storage, use or other consumption in Franklin County of any automotive vehicle or truck trailer, semi-trailer or house trailer purchased at retail for storage, use or other consumption in Franklin County at the rate of one-half of one percent of the sales price of such automotive vehicle, truck trailer, semi-trailer or house trailer. Where any used automotive vehicle or truck trailer, semi-trailer or house trailer is taken in trade or in a series of trades as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

(d) An excise tax is hereby imposed on the storage, use or other consumption in Franklin County of any machine, machinery or equipment, either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating and harvesting farm products or used in connection with the production of agricultural produce or products, livestock or poultry on farms, and the parts of such machines, machinery or equipment, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machine, machinery or equipment, and which are necessary to and customarily used in the operation of such machine, machinery or equipment which is purchased at retail after the effective date of this Act for storage, use or other consumption in Franklin County, at the rate of one-half of one percent of the sales price of such property, regardless of whether the retailer is or is not engaged

in business in Franklin County. Provided, however, the one-half of one percent rate herein prescribed with respect to parts, attachments and replacements shall not apply to any automotive vehicle or trailer designed primarily for public highway use except farm trailers used primarily in the production and harvesting of agricultural commodities.

Where any used machine, machinery or equipment, either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock and poultry on farms is taken in trade or in a series of trades as a credit or part payment on a sale of a new or used machine, machinery or equipment, the tax levied herein shall be paid on the net difference, that is, the price of the new or used machine, machinery or equipment sold, less the credit for the used machine, machinery or equipment taken in trade.

(e) An excise tax is hereby imposed in Franklin County on the classes of tangible personal property and at the rates imposed on such classes specified in subsections (a), (b), (c) and (d) of this section on the storage, use or other consumption in the performance of a contract in Franklin County of any such tangible personal property, new or used, the tax to be measured by the sales price or the fair and reasonable market value of such tangible personal property when put into use in Franklin County, whichever is less. Provided, however, the tax imposed by this subsection shall not apply where the taxes imposed by subsections (a), (b), (c) and (d) of this section apply.

Section 3. The taxes provided for in section 1 and section 2 of this Act shall be subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, punishments and deductions as are applicable to the state sales and use taxes levied under Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama, as amended, and Acts supplemental thereto, and Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as amended, and Acts supplemental thereto, except wherein applicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collections of the taxes.

Section 4. All taxes imposed by this Act, together with such interest and penalties as may be imposed herein, shall be a lien upon the property of any person, firm or corporation due to pay such taxes under the provisions of this Act, and all of the provisions of the revenue laws of the State of Alabama applying to or with reference to the enforcement of liens for license taxes due the State of Alabama shall apply fully to the collection of the taxes imposed by this Act, and the state department of revenue, for the use and benefit of Franklin County, shall collect or enforce such taxes in the manner and form therein provided, and as further provided in section 5 hereof.

Section 5. The taxes imposed by this Act shall be collected by the state department of revenue at the same time and along with the collection by the department of taxes levied and collected for the State of Alabama under Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama, as amended, and Acts supplemental thereto, and Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as amended, and Acts supplemental thereto, and all reports now required to be made to the commissioner of revenue of the State of Alabama shall, on request of the department of revenue, be available for inspection by the chairman of the county governing body of Franklin County or his designated agent, at reasonable times during business hours. The state department of revenue shall prepare

and distribute such reports, forms and other information as may be necessary for the collection of the additional taxes herein imposed, and shall have all the authority and duties in connection with such additional taxes as are now given by law to the department for the collection of state sales and use taxes under Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama, as amended, and Acts supplemental thereto, and Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as amended, and Acts supplemental thereto. It shall be the duty of the commissioner of revenue to pay into the state treasury all collections of taxes made hereunder, and on or before the fifth day of the following month the commissioner of revenue shall certify to the state comptroller the amount of special taxes levied and collected under the authority of this Act for the use and benefit of Franklin County during the calendar month immediately preceding the making of such certificate to the state treasurer. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the public school funds of Franklin County, in his official capacity, in and amount equal to three-fourths of the amount so certified by the commissioner of revenue as having been collected for the use of Franklin County, and the remainder shall be paid to the custodian of the public school funds of the City of Russellville. The state department of revenue shall charge Franklin County for collecting the special county taxes levied herein the cost of collecting such taxes, such charge, however, not to exceed five percent of the amount collected. Such charge for collecting the special taxes for the county shall be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due Franklin County for that month.

Section 6. The taxes imposed by this Act shall be in addition to all other licenses and taxes levied by law as a condition precedent to engage in any business taxable hereunder in Franklin County, except as herein otherwise specifically provided.

Section 7. All revenue arising from the tax herein levied shall be used exclusively for public school purposes within Franklin County.

Section 8. This Act supersedes Act No. 516, approved November 19, 1959 (Acts 1959, Vol. 2, p. 1267); provided, that rights and duties that matured, penalties that were incurred, and proceedings that were begun under said Act No. 516 before the effective date of this Act shall not be affected by this Act.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This Act shall become effective on the first day of the month succeeding the thirtieth day following the date on which this Act is approved by the Governor or shall otherwise become law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama,

said notice having appeared in the issues of said paper on June 13, June 20, June 27, and July 4, all in the year 1968.

CLAUDE E. SPARKS.

Sworn to and subscribed before me March 17, 1969.

MAE G. STREIT,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 817. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 457. To amend Section 6 of Act No. 217, H. 275, approved August 1, 1961, (Acts of Legislature, Regular Session of 1961, Volume 1, pp. 244, et seq.), An Act "To provide for and prescribe the form of government of all cities having populations of not less than 30,000 nor more than 31,500."

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 291. Relating to the authority of the Highway Director to alter plans or character of work on construction projects after they have been let to contract; to determine the need for new or additional work not contemplated or included in the original construction contract; and to enter into a supplemental agreement with the prime contractor for extra work or to direct the prime contractor to perform the extra work on a force account basis.

Also:

S. 329. To repeal Act No. 329, H. 714, approved July 1, 1943, as amended, an act relating to construction of farm to market roads (General Acts 1943, p. 311 et seq.).

Also:

S. 330. To provide for the disposition of unobligated SACP funds which have reverted to the State Highway Department.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 20. To amend section 5 of Act No. 755, Regular Session 1967 (Acts 1967 p. 1609) which act provides for supernumerary tax collectors, tax assessors or other elected officials charged with assessment and/or collection of ad valorem taxes in various counties, to allow persons eligible for those positions to be appointed whether or not they are eligible for retirement under another retirement plan.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Downing, Hobbie, Grayson and Watkins:

H. 288. To create a retirement system for peace officers as defined herein; to create the Board of Commissioners of the Alabama Peace Officers' Annuity and Benefit Fund and to establish the said Fund; to provide for the method of selection of the members of the said Board and their successors, and to fix their compensation; to provide for the organization and operation of the said Board and the employment of an executive director; to fix the maximum salary of such executive director, and to define his powers; to provide for the disposition of monies received by the said Fund, for the depositories therefor, and the investment thereof; to specify the powers of the said Board, and to require the maintenance of books and records; to define those eligible for benefits from the said Fund and the conditions precedent to and terms of service required for receipt of such benefits; to fix a monthly fee for each member of the said Fund and to provide for conditions of membership in the said Fund; to impose additional costs in all criminal and quasi criminal proceedings for the violation of laws of the state or municipal ordinances; to provide for the payment of such costs to the said Fund; to specify retirement, disability and death benefits for members of the said Fund and to establish the conditions precedent to the receipt of such benefits; to require that the Fund be operated on an actuarially-sound basis and that actuarial reports be regularly rendered; to provide for an adjustment of benefits in response to any such report; to provide for refunds of contributions by members; to provide for the military service and change of employment by members of the said Fund; to require semiannual reports and annual audits of the Fund; to make all rights, annunities and benefits subject to future change by the legislature; to restrict the assignability of rights hereunder; to provide that the rights granted hereunder are cumulative to all other rights; to provide for the partial invalidity of any provision hereof, to make an appropriation for payment of the expenses of the said Board; and to provide for the effective date of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 288. To the Committee on Insurance.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Adwell, Ellis, Sessions, Crane, Meeks, House, Holman, Cook (Jefferson), Kilgore, Gloor, Jackson (T), Weeks, Watkins, Yeilding, Waggoner and Bowers:

H. 821. To authorize any city of this state having a population of 300,000 or more inhabitants, according to the last or any subsequent federal census to pay hospital bills, doctors' bills, and other medial expenses incurred by any policeman, fireman or other employee of such city or agency thereof in securing treatment of injuries sustained by such policeman, fireman or other employee as a result of and while in the actual performance of his duties as an employee of such city or agency.

Also:

By Messrs. Cook (Jefferson), Kilgore, Cherner, Ellis, Sessions, Meeks, House, Gloor, Jackson (T), Weeks, Watkins, Yeilding and Waggoner:

H. 820. To further amend Act No. 661 of the 1951 Regular Session approved September 4, 1951 (1951 General Acts, Vol. 2, p. 1125) as amended by Act No. 17 of the Second Extra Session of the Legislature of 1956 approved March 16, 1956 (1956 General Acts, Vol. 1, p. 276), as amended by Act No. 680 of the 1961 Regular Session approved September 8, 1961 (1961 General Acts, Vol. 1, p. 961), which Act and amendments thereto define and regulate the issuance of licenses to barbers, barber shops, barber colleges and other like business and establishes a barber commission in all counties of the State having a population of 400,000 or more, according to the last or any subsequent federal census, and establishing an inspector, and granting powers to the barber commission to make rules and regulations.

Also:

By Messrs. Edington, Marr, Grayson, Downing, Lyons, Nettles, Perloff and Wood:

H. 696. To provide for an exemption from ad valorem taxation of the property owned by the Mobile Carnival Association and parading organizations affiliated with it.

Also:

By Messrs. Marr, Wood, Downing, Collins (W), Owen (Baldwin), Brannan, Collins (C), Edington, Nettles, Grayson and Perloff:

H. 810. To create a mosquito abatement district in any two contiguous counties of this state having a combined population of not less than 360,000

nor more than 600,000, according to the most recent federal decennial census, for the purpose of controlling and abating mosquitoes and other vectors; to provide a mosquito control board for administrative purposes and to prescribe its authority; to provide for the appointment, number and terms of its members; to authorize the governing bodies of any county, city or town within the district to appropriate public funds for the purposes of this act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 821 and 820. To the Committee on Local Legislation No. 2

H. B. 696. To the Committee on Finance and Taxation.

H. B. 810. To the Committee on Public Buildings and Grounds.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 402. To provide that the Board of Revenue, or like governing body now existing or that may be hereafter created in all Counties of Alabama, having a population of not less than 160,000 nor more than 300,000 inhabitants according to the 1960 Federal Census or any subsequent regular decennial Federal Census pay to the Recorder of the Recorder's Court of all cities located in said County or counties for ex officio services rendered by the Recorder in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Five Thousand One Hundred and NO/100 (5,100.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury, and providing further for the payment to the designated Prosecuting Attorney of the Recorder's Court located in said County or counties for ex officio services rendered by him in the prosecution of cases in Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Two Thousand Four Hundred and NO/100 (2,400.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pierce, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 402, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 402

Amend Senate Bill No. 402 as follows:

In caption:

Line 3—delete the figure "160,000" and insert in lieu thereof the figure "150,000"

Line 4—delete the words "or any subsequent regular decennial Federal Census"

Lines 12 and 13—delete the words "Two Thousand Four Hundred and No/100 (2,400.00)" and insert in lieu thereof the words "Three Thousand and No/100 (3,000.00)"

In Section 1:

Line 3—delete the figure "160,000" and insert in lieu thereof the figure "150,000"

In Section 2:

Line 3—delete the figure "160,000" and insert in lieu thereof the figure "150,000"

Lines 3 and 4—delete the words "or any subsequent regular decennial Federal Census"

Lines 7 and 8—delete the words "Two Thousand Four Hundred and No/100 (2,400)" and insert in lieu thereof the words "Three Thousand and No/100 (3,000.00)"

Amend Senate Bill 402 as follows:

In the caption, delete the words "not exceeding" in their entirety wherever same appears, and substitute in lieu thereof the word "of."

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	McCarley	Pierce	
Branyon	Folsom	McDermott	Skidmore	
Carr	Giles	Morrow	Stone	
Childs	Gilmore	Nabors	Torbert	
Clark	Goodwyn	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson			—25

Nays: —0

FURTHER CONSIDERATION OF S. R. 47

The Senate proceeded to further consideration of the Resolution:

S. R. 47. Setting Special Orders.

The question was on the amendment offered by Mr. Cooper, and said amendment was then adopted.

On motion of Mr. Goodwyn, the Resolution, S. R. 47, as amended, was then adopted by the Senate.

SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount and continuing order of business, the first of which was the Bill:

H. 310. For the relief of widows of governors of Alabama.

Mr. Pierce offered the following amendment to the Bill, H. B. 310, to-wit:

AMENDMENT TO H. B. 310

Amend H. B. 310 by deleting in the third line of Section 1, the figures "$400.00", and insert the figures "$600.00".

Which was adopted.

Yeas 21; Nays 1.

Yeas:

Messrs.:	Goodwyn	Morrow	Skidmore	
Adams	Harris	Nabors	Stone	
Clark	Lindsey	Oden	Torbert	
Folsom	Lolley	Pierce	Turner	
Giles	McCarley	Radney	Vacca	
Givhan	McDermott			—21

Nay: Mr. Dominick —1

And said Bill, H. B. 310, as thus amended, was then read a third time at length and passed.

Yeas 22; Nays 2.

Yeas:

Messrs.:	Giles	McDermott	Skidmore	
Adams	Givhan	Morrow	Stone	
Carr	Goodwyn	Nabors	Torbert	
Clark	Harris	Oden	Turner	
Cooper	Hawkins	Pierce	Vacca	
Folsom	Lindsey	Radney		—22

Nays: Messrs. Branyon and Dominick —2

The Bill:

S. 310. To amend Section 2 of Act No. 870, H. 200, Regular Session, 1961 (Acts of 1961, page 1365) entitled "An Act to amend Sections 1, 2, 6, and 9 of Act No. 343, approved August 20, 1957, entitled 'An Act to provide further for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of any state department, board, bureau, commission, committee, institution, corporation, authority, or office and prescribing penalties.' "

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, S. B. 310, to-wit:

SENATE JUDICIARY COMMITTEE

AMENDMENT TO SENATE BILL 310

Amend Section 2 of Senate Bill 310 so as to read as follows:

"Section 2. All laws or parts of laws except Act No. 778, Acts of Alabama, Regular Session 1967, page 1637, Vol. II, which conflict with this Act are repealed."

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Clark	Goodwyn	Morrow	
Adams	Cooper	Harris	Nabors	
Bailes	Dominick	Hawkins	Radney	
Branyon	Folsom	Lindsey	Skidmore	
Carr	Gilmore	McCarley	Stone	
Childs	Givhan	McDermott		—22

Nays: —0

And said Bill, S. B. 310, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 19; Nays 3.

Yeas:

Messrs.:	Cooper	Lindsey	Oden	
Bailes	Folsom	McCarley	Pierce	
Branyon	Givhan	Morrow	Radney	
Carr	Goodwyn	Nabors	Skidmore	
Childs	Hawkins	O'Bannon	Stone	
				—19

Nays:

Messrs.:	Dominick	Gilmore	Harris	
				—3

The Bill:

S. 426. To make a conditional appropriation from the Alabama Special Educational Trust Fund for capital outlay purposes.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 1.

Yeas:

Messrs.:	Cooper	Lindsey	Pierce	
Bailes	Folsom	McCarley	Radney	
Branyon	Gilmore	McDermott	Skidmore	
Carr	Givhan	Morrow	Stone	
Childs	Goodwyn	Nabors	Vacca	
Clark	Hawkins	Oden		—22

Nay: Mr. Dominick —1

The Bill:

S. 311. To make an appropriation to the Department of Agriculture and Industries for the two fiscal years ending September 30, 1970 and September 30, 1971, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, S. B. 311, to-wit:

SUBSTITUTE FOR S. B. 311

A BILL
TO BE ENTITLED
AN ACT

To make an appropriation to the Department of Agriculture and Industries for the two fiscal years ending September 30, 1970 and September 30, 1971, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera.

Be It Enacted by the Legislature of Alabama:

Section 1. For each of the two fiscal years ending September 30, 1970 and September 30, 1971, there is hereby appropriated to the Department of Agriculture and Industries out of any monies in the State Treasury not otherwise appropriated the sum of One Hundred Thousand Dollars ($100,000.00), or so much thereof as may be necessary, during each of the said two fiscal years, which said sum shall be used and expended by said Department for the purpose of paying and indemnifying the owners of swine for the value of any swine ordered and directed to be condemned and destroyed by the Commissioner of Agriculture and Industries or the State Veterinarian for the purpose of arresting, eradicating and preventing the spread of hog cholera disease. The amount of any payments to owners of swine from the appropriation herein made shall be determined pursuant to the procedure and method set forth under Sections 17-26 of Act No. 694, Legislature of 1947, approved October 9, 1947, (Sections 383(17) - (26) of Title 2, Code of Alabama, Recompiled, 1958).

Section 2. The appropriation herein made shall be conditioned upon the condition of the General Fund and with the approval of the Governor.

Section 3. This Act shall become effective immediately upon October 1, 1969.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Hawkins	Pierce	
Adams	Dominick	Lindsey	Radney	
Bailes	Engel	McCarley	Skidmore	
Branyon	Folsom	McDermott	Stone	
Carr	Gilmore	Morrow	Turner	
Childs	Givhan	Nabors	Vacca	
Clark	Goodwyn			—25

Nays: —0

And said Bill, S. B. 311, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 2.

Yeas:

Messrs.:	Cooper	Hawkins	Radney	
Adams	Engel	Lindsey	Skidmore	
Branyon	Folsom	McCarley	Stone	
Carr	Gilmore	McDermott	Turner	
Childs	Givhan	Morrow	Vacca	
Clark	Goodwyn	Pierce		—22

Nays: Messrs. Bailes and Dominick —2

The Bill:

H. 514. To provide for organizing industrial development corporations; provide for definitions; provide the purpose of such corporations; provide that such corporations may be organized under the general laws of Alabama, subject to certain limitations; provide that such corporations may borrow money from members and issue securities and evidences of indebtedness and secure same; provide said corporations may make loans, may acquire the good will, business and assets of persons, firms, and corporations and may acquire real estate and use the same for the purposes of the corporation; provide that corporations organized under the laws of Alabama or transacting business in Alabama are authorized to purchase, hold, and dispose of the securities of industrial development corporations; provide that financial institutions are authorized to become members and make loans to such corporations, subject to certain limitations; provide that financial institutions are authorized to acquire the securities and stock of such corporations; provide such corporations shall set aside a portion of earned surplus from year to year as a reserve fund; provide for selecting depositories for funds of such corporations; provide such corporations shall be subject to examination by a certified public accountant and shall file reports with the Secretary of State; provide for the management of such corporations by a board of directors, a president and officers; provide for the dissolution of such corporations; provide that such corporations shall be state development companies as defined in the Small Business Act, of 1958; provide for the payment of annual occupational license tax; provide an effective date.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Lindsey	Radney	
Adams	Dominick	McDermott	Skidmore	
Branyon	Engel	Morrow	Stone	
Carr	Folsom	Nabors	Turner	
Childs	Gilmore	Pierce	Vacca	
Clark	Hawkins			—21

Nays: —0

CALENDAR BILL POSTPONED TO DAY CERTAIN

On motion of Mr. Carr, further consideration of the Bill, S. B. 476, was postponed until the Twenty-Third Legislative Day.

BILLS ON THIRD READING RESUMED

The Bill:

S. 48. Making an appropriation from the state treasury for the relief of Mrs. James Charlie Hallman.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment, the President of the Senate having ascertained a quorum was present but not voting.

Yeas 15; Nays 0.

Yeas:

Messrs.:	Childs	Lindsey	Oden	
Adams	Clark	Lolley	Skidmore	
Branyon	Cooper	McDermott	Torbert	
Carr	Goodwyn	Nabors	Turner	
				—15

Nays: —0

The Bill:

S. 109. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Montgomery Institute of Neurological Development for the operation and maintenance of the school.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 19; Nays 0.

Yeas:

Messrs.:	Childs	Lindsey	Oden	
Adams	Clark	Lolley	Radney	
Bailes	Cooper	McDermott	Skidmore	
Branyon	Goodwyn	Morrow	Turner	
Carr	Harris	Nabors	Vacca	
				—19

Nays: —0

The Bill:

S. 337. To amend Act No. 669, Regular Session 1939, known as the Motor Carrier Act of 1939 (General Acts of Alabama, 1939, p. 1064) by imposing a fee for applications for certificates of public convenience and necessity and permits.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Cooper	Lindsey	Oden	
Adams	Dominick	Lolley	Radney	
Bailes	Engel	McCarley	Skidmore	
Branyon	Goodwyn	McDermott	Stone	
Carr	Harris	Morrow	Turner	
Childs	Hawkins	Nabors	Vacca	
Clark				—24

Nays: —0

The Bill:

S. 278. Relating to banks and banking; amending further Code of Alabama 1940, Title 5, Section 91, which relates to filing fees for permits to transact business; amending such section to prescribe fees to be paid with the application for a permit for the merger of two or more banks, and providing for the disposition of such fees.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 17; Nays 2.

Yeas:

Messrs.:	Dominick	McDermott	Stone	
Adams	Engel	Morrow	Torbert	
Branyon	Givhan	Nabors	Turner	
Clark	Goodwyn	Radney	Vacca	
Cooper	Lolley			—17

Nays: Messrs. Oden and Skidmore —2

The Bill:

S. 117. To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in the various counties of the State of Alabama, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

was taken up.

Mr. Engel offered the following amendment to the Bill, S. B. 117, to-wit:

AMEND S. B. 117 AS FOLLOWS:

By striking out the words "being then in office" on line 3, Section 1(b) and by adding the following sentence at the end of the said section, "The provisions of this act shall apply only to those persons who are in office at the time of the passage of this act or who may thereafter become eligible under its provisions."

Which was adopted.

Yeas 17; Nays 1.

Yeas:

Messrs.:	Folsom	McDermott	Skidmore	
Clark	Givhan	Morrow	Stone	
Cooper	Goodwyn	Nabors	Turner	
Dominick	Lindsey	Radney	Vacca	
Engel	Lolley			—17

Nay: Mr. Carr —1

On motion of Mr. Bailes, further consideration of the Bill, S. B. 117, as amended, was postponed until the next Legislative Day.

The Bill:

S. 190. To prohibit the feeding of garbage to swine and to repeal conflicting laws, including Act No. 187, Regular Session 1953 (Acts 1953, p. 240).

was taken up.

Mr. Folsom offered the following substitute for the Bill, S. B. 190, to-wit:

SUBSTITUTE FOR S. B. 190

A BILL
TO BE ENTITLED
AN ACT

To prohibit the feeding of garbage to swine and to repeal conflicting laws, including Act No. 187, Regular Session 1953 (Acts of 1953, p. 240); and to provide for the enforcement of this Act, and to fix the date on which said Act shall become effective.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any person, municipality, county, political subdivision, governmental agency or department, institution, individual, partnership, corporation, association, other entity or organization to feed garbage to swine. For the purposes of this Act, "Garbage" means putrescible animal and vegetable waste resulting from the handling, preparation, cooking and consumption of foods including animal and fowl carcasses or parts thereof, except, however, citrus pulps, pea vines, bakery waste, candy kitchen waste and dairy products waste from milk processing plants shall not be included in this definition when such waste has not been mixed with or in contact with other animal or vegetable waste.

Section 2. This Act shall not apply to any person who feeds only his own household garbage to swine.

Section 3. Whoever violates this Act shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than $500.00, and within the discretion of the Court may also be imprisoned for a period not to exceed six months.

Section 4. The provisions of this Act shall be enforced by the Department of Agriculture and Industries.

Section 5. All laws and parts of laws which conflict with this Act are hereby repealed, and Act No. 187, Regular Session 1953 (Acts of 1953, p. 240) is hereby expressly repealed, provided the date on which the repeal of said Act shall become effective is October 1, 1971.

Section 6. This Act shall become effective on October 1, 1971.

On motion of Mr. Lolley, further consideration of the Bill, S. B. 190 and pending substitute, was postponed until the next Legislative Day.

The Bill:

H. 90. To amend Act No. 863, H. 1061, Regular Session 1965 (Acts 1965, p. 1605), an act to create the Alabama Space Science Exhibit Commission; amending Section 3 of such act so as to exempt certain employees of the Commission from the provisions of the state merit system act, to provide that such employees shall not be eligible to participate in the state's health insurance plan and benefits for state employees or in the state employees' retirement system; and amending Section 8 of such act so as to define further the duties, powers and authority of the commission, specifically with reference to programs for promoting and advertising the exhibits and facilities provided by this act, to purchasing by the commission and to the operation of concessions on the grounds and facilities operated by the commission.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	O'Bannon	
Bailes	Engel	Lolley	Radney	
Carr	Giles	McCarley	Skidmore	
Childs	Gilmore	Morrow	Stone	
Clark	Goodwyn	Nabors	Vacca	
Cooper	Harris			—21

Nays: —0

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Bills and Senate Joint Resolutions delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

S.B. 231 Delivered to the Governor June 25, 1969, at 3:55 P.M.

S.B. 241 Delivered to the Governor July 8, 1969, at 4:20 P.M.

S.B. 276 Delivered to the Governor July 8, 1969, at 4:20 P.M.

S.B. 289 Delivered to the Governor July 8, 1969, at 4:20 P.M.

S.B. 301 Delivered to the Governor July 8, 1969, at 4:20 P.M.

S.B. 302 Delivered to the Governor July 8, 1969, at 4:20 P.M.

S.B. 364 Delivered to the Governor July 8, 1969, at 4:20 P.M.

S.B. 365 Delivered to the Governor July 8, 1969, at 4:20 P.M.

S.B. 366 Delivered to the Governor July 8, 1969, at 4:20 P.M.

S.B. 372 Delivered to the Governor July 8, 1969, at 4:20 P.M.

S.B. 387 Delivered to the Governor July 8, 1969, at 4:20 P.M.

S.B. 307 Delivered to the Governor July 8, 1969, at 4:20 P.M.

S.B. 303 Delivered to the Governor July 8, 1969, at 3:00 P.M.

S.B. 230 Delivered to the Governor July 8, 1969, at 4:20 P.M.

S.B. 184 Delivered to the Governor July 8, 1969, at 4:20 P.M.

S.B. 183 Delivered to the Governor July 8, 1969, at 4:20 P.M.

S.B. 250 Delivered to the Secretary of State July 8, 1969, at 4:25 P.M.

S.B. 293 Delivered to the Governor July 10, 1969, at 2:25 P.M.

S.B. 376 Delivered to the Governor July 10, 1969, at 2:25 P.M.

S.B. 377 Delivered to the Governor July 10, 1969, at 2:25 P.M.

S.B. 379 Delivered to the Governor July 10, 1969, at 2:25 P.M.

S.B. 409 Delivered to the Governor July 10, 1969, at 2:25 P.M.

S.B. 422 Delivered to the Governor July 10, 1969, at 2:25 P.M.

S.B. 424 Delivered to the Governor July 10, 1969, at 2:25 P.M.

S.B. 431 Delivered to the Governor July 10, 1969, at 2:25 P.M.

S.J.R. 35 Delivered to the Governor July 10, 1969, at 2:25 P.M.

S.J.R. 36 Delivered to the Governor July 10, 1969, at 2:25 P.M.

S.B. 186 Delivered to the Secretary of State July 10, 1969, at 1:25 P.M.

S.B. 185 Delivered to the Governor July 10, 1969, at 2:25 P.M.

S.J.R. 37 Delivered to the Governor July 10, 1969, at 2:25 P.M.

S.J.R. 38 Delivered to the Governor July 16, 1969, at 1:40 P.M.

S.J.R. 31 Delivered to the Governor July 16, 1969, at 1:40 P.M.

S.J.R. 32 Delivered to the Governor July 16, 1969, at 1:40 P.M.

S.J.R. 33 Delivered to the Governor July 16, 1060, at 1:40 P.M.

S.B. 191 Delivered to the Governor July 16, 1969, at 1:40 P.M.

S.B. 219 Delivered to the Governor July 16, 1969, at 1:40 P.M.

S.B. 375 Delivered to the Governor July 16, 1969, at 1:40 P.M.

S.B. 425 Delivered to the Governor July 16, 1969, at 1:40 P.M.

S.B. 467 Delivered to the Governor July 16, 1969, at 1:40 P.M.

S.B. 469 Delivered to the Governor July 16, 1969, at 1:40 P.M.

S.B. 1 Delivered to the Governor July 16, 1969, at 1:40 P.M.

S.B. 263 Delivered to the Governor July 16, 1969, at 1:40 P.M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 7 o'clock P.M., on motion of Mr. O'Bannon, in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, July 22, 1969, at 1 o'clock P.M.

TWENTY-FIRST LEGISLATIVE DAY

TUESDAY, JULY 22, 1969

The Senate met pursuant to adjournment, President Pro Tempore Goodwyn presiding.

PRAYER

The Session was opened with prayer by Mr. Don Wasson, Member of the Capitol Press Corps, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden	
Adams	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	Lolley	Skidmore	
Branyon	Gilmore	McCarley	Stone	
Carr	Givhan	McDermott	Torbert	
Childs	Goodwyn	Morrow	Turner	
Clark	Harris	Nabors	Vacca	
Cooper	Hawkins	O'Bannon		—34

JOURNAL

On motion of Mr. Morrow, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the

Senate for the Twentieth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Twentieth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Engel, leave of absence was granted Mr. Radney for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Albea:

S. 678. To authorize the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City, to authorize and permit, on behalf of the City of Anniston, Alabama, South Central Bell Telephone Company, its successors and assigns, to construct and maintain a building, or a portion thereof, over and above the alley running north and south in Block 4 as shown on the Anniston City Land Company Map of Anniston, and to construct and maintain a passage-way under said alley, said construction to connect the building now occupied by said Telephone Company on the west side of said alley, or as it may be repaired or altered, with a building to be constructed by it on the east side of said alley; to set forth certain conditions concerning the width of said building, or portion thereof, constructed over and above said alley, the width of said passage-way under said alley, and the height from the top surface of said alley that the bottom of said building, or portion thereof, constructed over and above said alley shall be, in the event such authority and permission is granted by the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City; to provide that the City of Anniston, Alabama, shall not be liable or responsible in damages for any injuries to persons, including death, or for any damages to property, arising out of or connected with the construction or maintenance of said building, or portion thereof, or said passage-way; to provide that in the event such authority and permission is granted, all parts of said alley included with the dimensions of said building, or portion thereof, constructed over and above said alley, and all parts of said alley included within the dimensions of said passage-way constructed under said alley shall be expressly vacated, and all rights of the public, including property owners in said Block 4, in said vacated portion of said alley, shall be expressly divested, and that the City of Anniston shall not be liable in damages in any manner by reason of said vacation; and to provide certain other conditions and provisions relative to said Act.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
CALHOUN COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage and enactment will be made, to-wit:

AN ACT

To authorize the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City, to authorize and permit, on behalf of the City of Anniston, Alabama, South Central Bell Telephone Company, its successors and assigns, to construct and maintain a building, or a portion thereof, over and above the alley running north and south in Block 4 as shown on the Anniston City Land Company Map of Anniston, and to construct and maintain a passage-way under said alley, said construction to connect the building now occupied by said Telephone Company on the west side of said alley, or as it may be repaired or altered, with a building to be constructed by it on the east side of said alley; to set forth certain conditions concerning the width of said building, or portion thereof, constructed over and above said alley, the width of said passage-way under said alley, and the height from the top surface of alley, that the bottom of said building, or portion thereof, constructed over and above said alley shall be, in the event such authority and permission is granted by the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City; to provide that the City of Anniston, Alabama, shall not be liable or responsible in damages for any injuries to persons, including death, or for any damages to property, arising out of or connected with the construction or maintenance of said building, or portion thereof, or said passage-way; to provide that in the event such authority and permission is granted, all parts of said alley included with the dimensions of said building, or portion thereof, constructed over and above said alley, and all parts of said alley included within the dimensions of said passageway constructed under said alley shall be expressly vacated, and all rights of the public, including property owners in said Block 4, in said vacated portion of said alley, shall be expressly divested, and that the City of Anniston shall not be liable in damages in any manner by reason of said vacation; and to provide certain other conditions and provisions relative to said Act.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City, shall be, and is hereby expressly given the right to authorize and permit, on behalf of the City of Anniston, Alabama, South Central Bell Telephone Company, its successors and assigns, to construct and maintain a building, or a portion thereof, over and above the alley running north and south in Block 4 as shown on the Anniston City Land Company Map of Anniston, and to construct and maintain a passage-way under said alley. Said construction shall connect the building now occupied by said Telephone Company on the West side of said alley, or as it may be repaired or altered, with a building to be constructed by it on the east side of said alley.

Section 2. That the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City, in granting authority and permission for said construction, shall be authorized to prescribe the width of said building, or portion thereof, constructed over and above said alley and

the width of said passage-way under said alley, but said authorized width shall not exceed the width of the building now occupied by said Telephone Company on the west side of said alley.

Section 3. That the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City, in granting authority and permission for said construction, shall be authorized to prescribe the height from the top surface of said alley that the bottom of said building, or portion thereof, constructed over and above said alley shall be, but such height shall not be less than 14 feet.

Section 4. That the City of Anniston, Alabama, shall not be liable or responsible in damages for any injuries to persons, including death, or for any damages to property, arising out of or connected with the construction or maintenance of said building, or portion thereof, or said passage-way.

Section 5. That in the event such authority and permission is granted by the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City, all parts of said alley included within the dimensions of said building, or portion thereof, constructed over and above said alley, and all parts of said alley included within the dimensions of said passage-way constructed under said alley, shall be, and are hereby, expressly vacated, and all rights of the public, including any property owners in said Block 4, in said vacated portion of said alley shall be, and are hereby, expressly divested. The City of Anniston shall not be liable in damages in any manner by reason of said vacation.

Section 6. That each section, clause and provision of this Act shall be separate and separable, and if any one or more of such sections, clauses or provisions should for any reason be declared unconstitutional, or invalid, it shall not affect the remaining portions of said Act, which shall remain and be of legal and binding effect.

Section 7. That this Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Personally appeared before me Phillip A. Sanguinetti, who being duly sworn, makes oath that he is General Manager of The Anniston Star, a daily newspaper published in Anniston, Alabama, and that the attached notice was published on the following dates: June 13, 20, 27, July 4, 1969.

PHILLIP A. SANGUINETTI.

Sworn to and subscribed before me this 10th day of July, 1969

LOLA J. BRIGHT,
Notary Public.

By Mr. Morrow:

S. 679. To exempt industrial development boards now or hereafter organized under the provisions of Act No. 648 adopted at the 1949 Regular Session of the Alabama Legislature, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Committee on Banking.

By Mr. Morrow:

S. 680. To exempt medical clinic boards now or hereafter organized under the provisions of Act No. 516 adopted at the 1955 Regular Session of the Alabama Legislature, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Committee on Banking.

By Mr. Givhan:

S. 681. To provide for the regulation of the custom application of pesticides by aircraft and ground equipment by requiring persons engaging in such work to be licensed by the Commissioner of Agriculture and Industries and fixing the license fees; to prescribe the requirements for persons performing such work for compensation to be eligible for a license; to empower the Commissioner of Agriculture and Industries to administer and enforce the requirements of this Act and to prescribe his duties and authority in connection therewith; to require the filing of a surety bond or a liability insurance policy by persons performing such work together with other regulatory requirements; to provide for exemptions from the requirements of this Act; and to provide enforcement and penalty provisions for violations of this Act.

Committee on Agriculture.

By Mr. Harris:

S. 682. To fix the compensation of the members and the chairman of the Board of Revenue and Control of Morgan County; and to repeal Act No. 437, H. 937 of the Regular Session of 1951 (Acts, Regular Session 1951, p. 789) and all acts amendatory thereof, and other conflicting laws.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To fix the compensation of the members and the chairman of the Board of Revenue and Control of Morgan County; and to repeal Act No. 437, H. 937 of the Regular Session of 1951 (Acts, Regular Session 1951, p. 789) and all acts amendatory thereof, and other conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the Board of Revenue and Control of Morgan County shall each receive an annual salary of nine thousand six hundred dollars ($9,600), to be paid in equal monthly installments on the second Monday in each month. Such salary shall be in lieu of all other compensation, fees, allowances and expense accounts, heretofore pro-

vided them by law, except that each member of such board may be reimbursed for his actual expenses incurred when travelling out of Morgan County in the performance of his official duties.

Section 2. The chairman of the Board of Revenue and Control of Morgan County shall receive as compensation for his services an annual salary of fourteen thousand five hundred dollars ($14,500) to be paid in monthly installments on the second Monday in each month. Such salary shall be in lieu of all other compensation, fees, allowances and expense accounts heretofore provided the chairman by law, except that he may be reimbursed for his actual expenses incurred when travelling out of Morgan County in the performance of his official duties.

Section 3. Act No. 437, H. 937, of the Regular Session of 1951 (Acts, Regular Session 1951, p. 789) and all acts amendatory thereof are hereby specifically repealed. All other laws or parts of laws in conflict herewith are also repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective on the first Monday after the second Tuesday in January 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 26th, July 3rd, July 10th, and July 17th, all in the year 1969.

B. C. SHELTON.

Sworn to and subscribed before me July 18th, 1969.

R. H. JERVIS,
Notary Public.

By Mr. Harris:

S. 683. To amend further Act No. 70, H. 346, Regular Session 1943 (Local Acts 1943, p. 34), an act placing the judge of probate of Morgan County on a salary basis and providing for clerical assistance, in relation to the compensation of the judge and his clerical assistants.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 70, H. 346, Regular Session 1943 (Local Acts 1943, p. 34), an act placing the judge of probate of Morgan County on a salary basis and providing for clerical assistance, in relation to the compensation of the judge and his clerical assistants.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 70, H. 346, Regular Session 1943 (Local Acts 1943, p. 34), an act placing the judge of probate of Morgan County on a salary basis and providing for his clerical assistance, as amended, is further amended to read as follows:

"Section 1. The judge of probate of Morgan County, Alabama, shall receive an annual salary of fourteen thousand dollars ($14,000). Such salary shall be in lieu of all other compensation, commissions, allowances, fees, costs, percentages and emoluments to such office, except as herein otherwise provided."

Section 2. Section 4 of said Act No. 70, Regular Session 1943, as amended, is further amended to read as follows:

"Section 4. The Board of Revenue and Control of Morgan County, Alabama, or other like governing body of the county, shall provide the judge of probate with the necessary books, records, equipment, furniture, fixtures, stationery, postage, and other supplies, and with sufficient clerks and assistants. The judge shall have the authority to select and employ and discharge at will his clerks and assistants, and to fix their compensation, but the total compensation of such clerks and assistants shall not exceed such sum as the Board of Revenue and Control or other county governing body shall allow therefor. The board shall have authority and it shall be its duty to make an allowance for such compensation and to raise and lower the same from time to time, as conditions and circumstances may warrant."

Section 3. Section 1 of this act shall become effective upon the expiration of the term of the incumbent judge of probate of Morgan County. Section 2 of this act shall become effective immediately upon the passage and approval of this act by the Governor, or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 26th, July 3rd, July 10th, and July 17th, all in the year 1969.

B. C. SHELTON.

Sworn to and subscribed before me July 18th, 1969.

R. H. JERVIS,
Notary Public.

By Mr. Goodwyn:

S. 684. TO AMEND Sections 13 and 15 of Act No. 221, H. 40, approved April 20, 1965, Special Session 1965, which relates to public school administration; providing further for selection, approval, adoption, purchase, distribution and use of tax-paid textbooks; repealing conflicting laws.

Committee on Judiciary.

By Messrs. Bailes, Morrow, Vacca, Childs, Hawkins, Gilmore and Dominick:

S. 685. To provide for a statewide reappraisal and revaluation of property for tax purposes in the State of Alabama, to provide for the financing and administration thereof; and to define the functions, powers and duties of the State of Alabama, Department of Revenue and its relationship to county tax assessors and Boards of Equalization under this Act; and to authorize the Department of Revenue to make and promulgate rules and regulations, and provide penalties for violations of the Act.

Committee on Finance and Taxation.

By Mr. Torbert:

S. 686. To authorize and provide for the establishment, maintenance, equipping, operation, and financing of a public law library in Lee County; and to provide for the taxing and collection of law library fees as items of court costs in cases docketed in all courts within the county, excepting justice of the peace courts.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize and provide for the establishment, maintenance, equipping, operation, and financing of a public law library in Lee County; and to provide for the taxing and collection of law library fees as items of court costs in cases docketed in all courts within the county, excepting justice of the peace courts.

Be It Enacted by the Legislature of Alabama:

Section 1. In each case hereafter docketed in any court in Lee County, except justice of the peace courts, there shall be taxed as a part of the costs the sum of one dollar ($1.00) as a law library fee. The costs taxed under this act shall be collected as other costs in such cases are collected, and when collected by the clerks or other collecting officers of such courts (including the register of the circuit court) shall be by them paid over to the treasurer or depository of Lee County for deposit in the county treasury. The sum so paid over to the county treasurer or depository shall be maintained in a separate fund in the county treasury, designated as the Lee County law library fund, and shall be

expended by the resident judge of the circuit court of Lee County for establishing, maintaining equipping, and operating a law library in the county courthouse of Lee County. The said items of cost above referred to shall be designated as law library fees, and when any part of the costs in a case have been paid, the amount necessary for the payment of said fee shall be applied thereto before applying any of the amount paid as costs to any other items of costs. On or before the tenth day of each month, the clerks or other collecting officers of the respective courts (including the register of the circuit court) shall pay over to the county treasurer or depository all amounts collected as law library fees previously to the first day of the month. The management of the law library is vested in the resident judge of the circuit court of Lee County. All books or other property purchased with the funds produced by this act shall be the property of Lee County.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective upon the adoption of an amendment to the Constitution of Alabama authorizing the legislature to fix, alter, and regulate the costs and charges of courts in Lee County, and the method of disbursement thereof.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Wear, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Opelika Daily News, a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6/24, 7/1, 7/8, and 7/15, all in the year 1969.

W. C. WEAR, JR.

Sworn to and subscribed before me 18 day of July, 1969.

DOROTHY W. MITCHELL,
Notary Public Lee County

By Messrs. Oden and Goodwyn:

S. 687. To provide further for the management of public records of all of the counties of the state; to provide for the appointment and compensation of a county records administrator; to prescribe his authority, powers and duties, and to appropriate funds for such purposes.

Committee on Judiciary.

By Messrs. Oden and Goodwyn:

S. 688. To amend Act No. 565, Regular Session 1955, (Acts 1955, p. 1227) which act relates to the management of the public records of the state, by reducing the number of members of the county records commission and providing expense allowances for the members of said commission.

Committee on Judiciary.

By Messrs. Turner, Cooper, Folsom, Nabors, Engel, Pelham and Oden:

S. 689. To provide for the control of air pollution within the State of Alabama; to create and establish an Air Pollution Control Commission; to prescribe the jurisdiction, powers, duties and functions of the Air Pollution Control Commission; to provide for an executive director of the Commission; to provide for the enforcement of the Act and orders, rules and regulations adopted by the Air Pollution Control Commission; prescribing penalties and making appropriations.

Committee on Public Buildings and Grounds.

By Mr. Dominick:

S. 690. To amend Code of Alabama 1940, Title 7, Section 770 which provides for the dismissal of an appeal when the transcript of the case in the lower court is not filed in the appellate court within the prescribed time, so to provide that such appeal shall not be dismissed when such failure to file it is due to negligence or delay of the clerk, register or judge of probate in preparing the transcript.

Committee on Judiciary.

By Mr. Leonard:

S. 691. To extend, alter and rearrange the boundary lines and corporate limits of the town of Lincoln, Talladega County, Alabama:

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

NOTICE

As soon as publication hereof has been completed as required by the constitution and laws of the State of Alabama, the following local Act will be introduced for passage in the Legislature of Alabama:

AN ACT TO EXTEND, ALTER AND REARRANGE THE BOUNDARY LINES AND CORPORATE LIMITS OF THE TOWN OF LINCOLN, TALLADEGA COUNTY, ALABAMA:

Be It Enacted by the Legislature of Alabama:

SECTION 1: That the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama, be, and the same are hereby, extended altered and rearranged so as to include within the corporate limits of said Town all of the following described territory:

All of the East Half (E½), the East Half of East Half of West Half (E½ of E½ of W½), the South Three-Fourths of the West Half of Southeast Quarter of Southwest Quarter (S-¾ of W½ of SE¼ of SW¼), and the South Three-Fourths of the Southwest Quarter of Southwest Quarter (S-¾ of SW¼ of SW¼) of Section 21: the West Half (W½) of Section 22; the West Half (W½) of Section 27; all of Section 28; the West Half (W½) of Section 34; all of Section 33; and the portions of the Northeast Quarter of the Southeast Quarter (NE¼ of SE¼) and Fraction "A" of Section 32 that are easterly of the westerly right-of-way line of the old Talladega-Lincoln Highway (1928-38) and northerly of U. S. In-

terstate 20 Highway right-of-way, all in Township 16 South, Range 5 East, Talladega County, Alabama; also the Northwest Quarter (NW¼) and the North Half of the Southwest Quarter (N½ of SW¼) of Section 3; the North Half (N½) and North Half of the South Half (N½ of S½) of Section 4; and the East Half of the East Half of the East Half of the Northeast Quarter (E½ of E½ of E½ of NE¼) and the East Half of the East Half of the Northeast Quarter of the Southeast Quarter (E½ of E½ of NE¼ of SE¼) of Section 5, all in Township 17 South, Range 5 East, Talladega County, Alabama.

SECTION 2: All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

SECTION 3: This Act shall be effective upon its publication and approval by the Legislature or upon its otherwise becoming a law.

STATE OF ALABAMA
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County, Dorothy Bleick, who being duly sworn according to law, deposes and says that she is the Clerk of the Daily Home, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: June 28, 1969, July 4, 1969, July 11, 1969, and July 18, 1969.

DOROTHY BLEICK.

Subscribed and sworn to before me on this 21 day of July, 1969.

FAYE F. BISHOP.

By Messrs. Carr and Nabors:

S. 692. Regulating the practice of radiologic technology, providing for appointment and operation of the Board of Radiologic Technologists Examiners for the State of Alabama; providing for examination and licensing of radiologic technologists; providing for the enforcement of this act; and prescribing penalties and fees.

Committee on Finance and Taxation.

By Messrs. Goodwyn and Pierce:

S. 693. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 23, 25, 26 and 35, Township 16 North, Range 18 East, Montgomery County, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 23, 25, 26 and 35, Township 16 North, Range 18 East, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

"Beginning at a point on the North line of Section 35, T16N, R18E, Montgomery County, Alabama. Said point lying 300' east of, measured perpendicular to the east right-of-way line of the Eastern By-Pass; thence southwesterly, parallel with the said east right-of-way line of the Eastern By-Pass and along the existing City Limits line to the west line of the northeast ¼ section 35, T16N, R18E; thence S 03 degrees 24' E along the west line of the northeast quarter of said Section 35 to the northeasterly right-of-way of the Central of Georgia Railroad; thence S 47 degrees 22 feet E along the northeasterly right-of-way of the Central of Georgia a distance of 769.17 feet to the south line of the northeast quarter of said Section 35; thence N 87 degrees 05 feet E along the south line of the northeast quarter of said Section 35 a distance of 2124.24 feet to the southeast corner of the northeast quarter of said Section 35; thence N 01 degrees 49 feet W along the east line of said Section 35 a distance of 2634.48 feet to the common corner of Section 25, 26, 35 & 36 T16N, R18E; thence N 86 degrees 16 feet E along the south line of said Section 25 a distance of 2232.0 feet; thence N 03 degrees 33 feet W a distance of 3989.0 feet more or less to the south right-of-way line of the Vaughn Road; thence northwesterly along the south right-of-way of the Vaughn Road to the northeast corner of the Plat of Green Acres, Plat No. 1 as the same is filed for record in the office of the Judge of Probate, Montgomery County, Alabama, in Plat Book 13, Page 163; thence south along the east line of said plat of Green Acres No. 1 to the southeast corner thereof, also being a point on the ½ Section line running north and south through the center of Section 26, T16N, R18E; thence south along said ½ section line to the north line of Section 35, T16N, R18E, thence east along the north line of said Section 35 to the point of beginning.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, Mary Gaye Pirtle a Notary Public in and for said County in said State, personally appeared Guyton Parks who is known to me and who first being by me duly sworn, doth on oath, depose and say:

That he is General Manager of the Alabama Journal a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper published in the

City and County of Montgomery and State of Alabama, on the following dates: June 26, July 3, July 10 and July 17, 1969.

GUYTON PARKS.

Sworn to and subscribed before me this the 18th day of July 1969.

MARY GAYE PIRTLE,
Notary Public, Montgomery County, Alabama.

By Messrs. Goodwyn and Pierce:

S. 694. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 1, Township 16 North, Range 18 East, Montgomery County, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 1, Township 16 North, Range 18 East, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

Beginning at the northeast corner of Section 1, T16N, R18E; thence west from the point of beginning along the north line of said Section 1 to the easterly right of way of the Eastern By-Pass; thence southeasterly along the easterly right of way of the Eastern By-Pass to the southerly right of way of the Seaboard Coast Line Railroad right of way; thence southeasterly along the said southerly right of way to the east line of said Section 1; thence northerly along the east line of said Section 1 to the point of beginning.

Section 2. That this act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, Mary Gaye Pirtle a Notary Public in and for said County in said State, personally appeared Guyton Parks who is known to me and who first being by me duly sworn, doth on oath, depose and says:

That he is General Manager of the Alabama Journal a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper published in the City and County of Montgomery and State of Alabama, on the following dates: June 26, July 3, July 10 and July 17, 1969.

GUYTON PARKS.

Sworn to and subscribed before me this the 18th day of July, 1969.

MARY GAYE PIRTLE,
Notary Public, Montgomery County, Alabama.

By Messrs. Goodwyn and Pierce:

S. 695. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 27 and 28, Township 16 North, Range 17 East, Montgomery County, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 27 and 28, Township 16 North, Range 17 East, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, ot-wit:

To reach the point of beginning, from the southwest corner of Section 27, T16N, R17E run northerly along the west line of said Section 27 to the northwest corner of the southwest quarter of said Section 27, this being the point of beginning, thence S 89 degrees 13′ E along the north line of the southwest quarter of said Section 27 a distance of 1313.3 feet more or less to the northeast corner of the west half of the southwest quarter of said Section 27, thence S 0 degrees 28′ W along the east line of the west half of the southwest quarter of said Section 27 a distance of 1859.6 feet more or less, to the intersection of the northerly right of way of U. S. Highway 31 (West Boulevard), thence northwesterly along the northerly right of way of U. S. Highway 31 (West Boulevard), to the north line of the southwest quarter of Section 28, T16N, R17E, thence southerly along the north line of the southeast quarter of said Section 28 to the point of beginning.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, Mary Gaye Pirtle a Notary Public in and for said County in said State, personally appeared Guyton Parks who is known to me and who first being by me duly sworn, doth on oath, depose and say:

That he is General Manager of the Alabama Journal a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper published in the City and County of Montgomery and State of Alabama, on the following dates: June 26, July 3, July 10 and July 17, 1969.

GUYTON PARKS.

Sworn to and subscribed before me this the 18th day of July, 1969.

MARY GAYE PIRTLE,
Notary Public, Montgomery County, Alabama.

By Messrs. Goodwyn and Pierce:

S. 696. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16 North, Range 18 East, Montgomery, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16 North, Range 18 East, Montgomery, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

Beginning at a point on the east right of way line of Norman Bridge Road, said point lying 485 feet north of the eastern extension of the north right of way line of Fleming Road and said point lying on the present City Limits line; thence east and parallel to the north right of way line

of Fleming Road and its extension to a point 657.3 feet west of the west line of the east one half of the east one half of Section 31, T16N, R18E; thence S-30-deg.-31'W a distance of 129.2 feet to a point; thence S-47 deg.-13'-W a distance of 52.2 feet to a point; thence S-30 deg.-31'-W a distance of 150 feet to a point; thence S-59 deg-29'-E a distance of 320 feet to a point; thence S-30 deg.-12'-E a distance of 68.9 feet to a point; thence S-03 deg.-46'-E a distance of 350 feet to a point; thence west along the north line of Plat No. 9, Sunshine Acres, as filed for record in the Office of the Judge of Probate, Montgomery County, Alabama, in Plat Book 18, on Page 53 and also along the north line of Plat No. 11, Sunshine Acres, as filed for record in the office of the Judge of Probate, Montgomery County, Alabama, in Plat Book 19, on Page 9, to the northwest corner of said Plat No. 11; thence south along the west line of said Plat No. 11 to the southwest corner thereof; thence east along the south line of said Plat No. 11 and said Plat No. 9 to the west line of the east one half of the east one half of Section 31, T16N, R18E; thence southerly along the west line of the east one half of the east one half of said Section 31 to the south line of said Section 31; thence westerly along the south line of said Section 31 to the easterly right of way of Norman Bridge Road; thence northely along the easterly right of way of Norman Bridge Road to the point of beginning.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, Mary Gaye Pirtle a Notary Public in and for said County in said State, personally appeared Guyton Parks who is known to me and who first being by me duly sworn, doth on oath, depose and say:

That he is General Manager of the Alabama Journal a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper published in the City and Connty of Montgomery and State of Alabama, on the following dates: June 28, July 3, July 10 and July 17, 1969.

GUYTON PARKS.

Sworn to and subscribed before me this the 18th day of July, 1969.

MARY GAYE PIRTLE,
Notary Public, Montgomery County, Alabama.

By Mr. Stone:

S. 697. To apply only in counties having populations of not less than 40,000 nor more than 45,000; providing an expense allowance payable from the county treasury for the use of the coroner.

Committee on Local Legislation No. 1.

By Mr. Folsom:

S. 698. To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payments, distribution and use of the proceeds so as to provide further for the use of the proceeds of such taxes.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payments, distribution and use of the proceeds so as to provide further for the use of the proceeds of such taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act. No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act relating to the Cullman County sales and use tax law, is amended to read as follows:

"Section 7. The state department of revenue shall charge Cullman County for collecting the special county taxes levied such amount or percentage of total collections as may be agreed upon by the commissioner of revenues and the court of county commissioners, board of revenue, or like governing body of the county, but such charge shall not in any event exceed ten per cent of the total amount of special county taxes collected hereunder within the county. Such charge for collecting the special taxes for the county may be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due Cullman County for that month. The commissioner of revenue shall pay into the state treasury all county taxes collected under this Act, as such taxes are received by the department of revenue; and on or before the first day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comtroller the amount of taxes collected under the provisions of this act and paid by him in to the state treasury for the benefit of Cullman County during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of Cullman County during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the public school funds of Cullman County, in his official capacity, in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of the county. The custodian of public school funds for Cullman County shall deposit the revenue derived from the taxes levied herein in a special account separate and apart from other public school funds of the county and shall maintain separate records of such special account. The county board of education shall require an additional bond of the custodian of public school funds, in an amount to be prescribed by the board of education and payable to the board and conditioned as prescribed by law. Such additional bond shall be filed and recorded in the office of the judge of probate of the county. The premiums on such bond shall be paid from any school funds derived hereunder. The

net proceeds derived from the taxes levied by this Act shall be distributed as follows: The custodian of public school funds shall pay annually to the governing body of Cullman County and to the City of Cullman each the sum of $12,500 which shall be payable at the rate of $1,000 per month for eleven months and $1,500 for the twelfth month. Funds payable to the county governing body shall be paid into the county general fund and funds payable to the City of Cullman shall be paid to the city treasurer. Such funds shall be kept separate and apart from other funds and shall be used exclusively for the purpose of promoting industrial development or for recreational purposes. Exclusive of the $25,000 heretofore allocated to the county governing body of Cullman County and the City of Cullman to be used for the purpose of promoting industrial development or for recreational purposes, the remaining proceeds shall be divided equally between the board of education of Cullman County and the City of Cullman payable on a monthly basis. The board of education's share of the proceeds shall be used exclusively for educational purposes, including transportation, capital outlay, maintenance and upkeep of buildings and current expenses other than teachers' salaries. The city's share of the proceeds other than that specifically allocated by this Act for the promotion of industrial development and for recreational purposes shall be used for general municipal purposes."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA,
CULLMAN COUNTY.

Before me Charlotte Miller a Notary Public in and for said County and State, personally appeared Marc Miller, publisher of The Cullman Tribune, a weekly newspaper published in Cullman, Cullman County, Alabama and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper once a week, for four successive weeks and being in the issues of said newspaper of the following dates, viz: April 24, May 1, 8 & 15, 1969.

MARC MILLER,
Publisher.

Sworn to and subscribed before me this, the 18 day of July 1969.

CHARLOTTE MILLER,
Notary Public.

By Mr. Folsom:

S. 699. To amend Section 7 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 7 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act No. 163, H. 168, approved March 30, 1965 (Acts of Alabama, Special Session 1965, v. 1, p. 209), an act creating the Cullman County Intermediate Court, is hereby amended to read as follows:

"Section 7. CRIMINAL PROSECUTIONS. (a) Prosecutions may be commenced in such court, upon sworn complaint made to the judge of the court in whose jurisdiction said offense is alleged to have been committed, which judge shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed in his jurisdiction and there is reasonable cause to believe that the accused is guilty or upon sworn complaint made as prescribed by Code of Alabama of 1958, Title 13, Section 327, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid or destroyed a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

"(b) The Circuit Solicitor of the Thirty-Second Judicial Circuit and the County Solicitor of Cullman County shall have the power and authority upon sworn complaint on probable cause to issue writs of arrest for offenses allegedly committed in the jurisdiction of the Cullman County Intermediate Court. The Circuit Solicitor is to appear at all preliminary hearings on felonies and the County Solicitor to prosecute all other criminal actions before the court.

"(c) All solicitor's fees taxed and collected in all criminal cases in the Cullman County Intermediate Court shall be paid into the general fund of the Cullman County Board of Revenue by the Clerk taxing and collecting same. Also, the clerk of the court shall deduct for the use of the county twenty percent of any sum or sums collected for and remitted to the state."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA,
CULLMAN COUNTY.

Before me Charlotte Miller a Notary Public in and for said County and State, personally appeared Marc Miller, publisher of The Cullman Tribune, a weekly newspaper published in Cullman, Cullman County, Alabama and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper once a week, for four successive weeks and being in the issues of said newspaper of the following dates, viz: May 8, 15, 22 & 29, 1969.

MARC MILLER,
Publisher.

Sworn to and subscribed before me this, the 18 day of July 1969.

CHARLOTTE MILLER,
Notary Public.

By Mr. Folsom:

S. 700. To alter, or rearrange the boundary lines of the Town of Holly Pond, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To alter, or rearrange the boundary lines of the Town of Holly Pond, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Holly Pond, Cullman County, Alabama, be and the same are hereby altered, or rearranged so as to include all of the territory encompassed by the corporate limits of the Town of Holly Pond, Alabama, and in addition thereto the following described territory, to wit:

TRACT I

The Southwest Quarter of the Southwest Quarter; the East Half of the Southwest Quarter; the West Half of the Southeast Quarter; the South Half of the Northeast Quarter and the Southeast Quarter of Northwest Quarter of Section 10.

TRACT II

The Northwest Quarter and East Half of the Southeast Quarter of Section II.

TRACT III

The West Half of the Southwest Quarter of Section 12.

TRACT IV

The West Half of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 13.

TRACT V

The East Half of the Northeast Quarter; the North Half of the Southeast Quarter; the Southwest Quarter of Section 14.

TRACT VI

The Southeast Quarter; the West Half of the Northeast Quarter; the North Half of the Northwest Quarter of Section 15.

All in Township 10, South, Range I West of Huntsville Meridian in Cullman County, Alabama.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA,
CULLMAN COUNTY.

Before me Charlotte Miller a Notary Public in and for said County and State, personally appeared Marc Miller, publisher of The Cullman Tribune, a weekly newspaper published in Cullman, Cullman County, Alabama and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper once a week, for four successive weeks and being in the issues of said newspaper of the following dates, viz: May 29, June 5, 12 & 19, 1969.

MARC MILLER,
Publisher.

Sworn to and subscribed before me this, the 18 day of July 1969.

CHARLOTTE MILLER,
Notary Public.

By Mr. Leonard:

S. 701. To provide additional compensation for the official court reporters of all judicial circuits composed of only one county which has a population of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census.

Committee on Local Legislation No. 1.

REPORTS OF COMMITTEES

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Pierce:

S. 619. To make an appropriation out of the general fund of the state treasury for the relief of the estate of Charles M. Pinkston.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Brown et al:

H. 688. To provide for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judicial Circuit of Alabama.

By Messrs. Robertson, Culver and Brown:

H. 910. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 100,000 nor more than 115,000.

By Messrs. Culver, Robertson, Bank and Brown:

H. 667. To amend Act No. 491, S. 444 of the Regular Session of 1961 (Acts, 1961 Regular Session, p. 563) which provides for a commission form of government for cities having populations of not less than 60,000 nor more than 70,000 according to the most recent federal decennial census, in relation to the compensation of the chairman and associate members of the commission.

By Mr. Hardin (with notice and proof):

H. 209. To alter or rearrange the boundaries of the City of Greenville, Butler County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto.

By Messrs. Crawford and Stembridge:

H. 255. Relating to counties having a population of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

By Mr. Neville:

H. 392. To amend Act No. 668, H. 918, Regular Session 1967 (Acts, Regular Session 1967, p. 1493), which provides additional compensation for the official court reporter of the third judicial circuit, in order to delete a provision thereof which provides for the expiration of the Act.

By Mr. Crawford:

H. 594. Relating to counties having a population of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census; fixing the compensation of the superintendent of education in such counties.

By Messrs. Brassell, Turnham and Higginbotham:

H. 804. Relating to counties having populations of not less than 46,000 nor more than 46,500; to provide further for the compensation of certain bailiffs in such counties.

By Messrs. Manley and Pruitt (with notice and proof):

H. 869. Relating to Perry County; to provide an allowance for clerk hire and expenses for the Circuit Court Clerk of Perry County, Alabama.

By Messrs. Foshee and Jackson (F):

H. 920. Relating to counties having populations of not less than 35,500 nor more than 36,500; to provide further for the compensation of certain bailiffs in such counties.

By Messrs. Jackson (F) and Foshee (with notice and proof):

H. 921. Relating to Covington County; authorizing the county governing body to make an appropriation for the relief of Ray Bozeman, circuit clerk of said county.

By Messrs. Crawford and Stembridge:

H. 939. To apply only in Counties having populations of not less than 15,000 nor more than 15,300; fixing the fee for issuance of a pistol permit by the Sheriff; and providing for the distribution and use of such fees.

By Messrs. Manley and Pruitt (with notice and proof):

H. 868. Relating to Perry County; to provide an allowance for clerk hire and expenses for the Tax Collector and the Tax Assessor of Perry County, Alabama.

By Messrs. Crawford and Stembridge:

H. 987. Relating to counties having a population of not less than 15,000 nor more than 15,300; to increase the compensation of members of boards of registrars in such counties.

By Messrs. Manley and Pruitt (with notice and proof):

H. 898. To amend Act No. 109, H. 379, Regular Session of 1951 (Acts 1951, Vol. 1, page 334). To impose extra, new and additional duties upon each member of the Court of County Commissioners of Perry County, Alabama and to provide additional compensation for the performance of such duties, and the method of payment of such compensation.

By Messrs. Merrill, Lybrand and Burgess (with notice and proof):

H. 946. To provide for the government and control by civil service regulations of certain employees of the sheriff's department of Calhoun County, Alabama, and to provide for a civil service board in said county and to fix its duties, authority, powers, and method of compensation.

By Messrs. Merrill, Lybrand and Burgess:

H. 981. Relating to cities having populations of more than thirty thousand and not exceeding forty-five thousand according to the most recent federal decennial census; to validate certain elections purportedly held pursuant to Act No. 404, S. 430 of the Regular Session of 1953 (Acts, 1953, p. 472), and to amend said Act No. 404, which authorizes, provides for and regulates the adoption of the council-manager form of government by any such city, so as to provide further for notice required of the election of the first council after a city elects this form of government, and to provide for holding and conducting the elections of the first and subsequent city councils under this Act.

By Messrs. Crawford and Stembridge:

H. 988. Relating to counties having a population of not less than 15,000 nor more than 15,300; to increase the compensation of members of the jury commission in such counties.

By Messrs. Merrill, Lybrand and Burgess (with notice and proof):

H. 859. Relating to Calhoun County; authorizing municipalities in said county to pay hospital and medical expenses of any municipal employee injured in line of duty.

By Messrs. Lybrand, Merrill and Burgess (with notice and proof):

H. 945. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the City.

By Messrs. Malone, Wright and Ownes (W.E.):

H. 915. Relating to counties having a population of not less than 96,000 nor more than 106,000; fixing the compensation of the officers of the circuit court in such counties.

By Messrs. Malone, Wright and Owens (W.E.):

H. 912. Relating to counties having a population of not less than 96,000 nor more than 106,000; providing expense allowances for certain officers in such counties.

By Messrs. Malone, Wright and Owens (W.E.):

H. 914. Relating to counties having a population of not less than 96,000 nor more than 106,000; increasing the expense allowance of the county judges in such counties.

By Messrs. Malone, Wright and Owens (W.E.):

H. 913. Relating to counties having a population of not less than 96,000 nor more than 106,000; fixing the compensation of certain officers in such counties.

By Messrs. Wright and Malone (with notice and proof):

H. 929. To alter, rearrange and extend the boundary lines and corporate limits of the town of Reece City in Etowah County.

By Messrs. Wright and Malone:

H. 930. To apply only in counties having a population of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census; providing for taxing, collecting and remitting circuit court costs by the town or cities located therein, when a case has been appealed from a City Recorder's Court, Mayor's Court, Police Court or any municipal court to the Circuit court in such counties and the appeal is dismissed and case remanded, and when a town or city permits a defendant to pay a fine and cost to the town or city after transcript on appeal is filed in Circuit Court.

By Mr. Springer et al (with notice and proof):

H. 872. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 3 and 4, Township 15 North, Range 18 East, and Section 33, Township 16 North, Range 18 East, Montgomery County, Alabama.

By Messrs. Springer, Harris and Cameron:

H. 916. To amend Section 8 of Act No. 432, H. 937 approved August 7, 1961 to regulate the Office of Sheriff in counties of more than 150,000 population and less than 300,000 population according to the last Federal census or any subsequent Federal census; to authorize the Sheriff to appoint an attorney to advise or represent him; to fix the compensation of said attor-

ney to be paid out of the general fund of the County by the Board of Revenue or like governing body; and providing when this Act shall become effective.

By Mr. Springer:

H. 917. To fix the compensation of the judge of probate of all counties having populations of not less than 150,000 nor more than 300,000 according to the 1960 Federal Census; to require such probate judges to pay into the county treasury all costs and charges of court, fees, and commissions authorized to be collected by such probate judges; to provide that the salary herein prescribed shall not affect any expense allowance heretofore provided; and to repeal conflicting laws, including specifically Act No. 312, H. 580, Regular Session 1963 (Acts 1963, p. 792).

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Shumate and Dobbs (with notice and proof) (with substitute):

H. 352. To alter, rearrange and extend the boundary lines and corporate limits of the town of Dora in Walker County.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Williams:

H. 938. To provide an additional expense allowance for the members of the county board of education of any county having a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal census.

By Mr. Williams:

H. 937. To apply to counties having a population of not less than 36,600 and not more than 37,600 according to the last Federal decennial census and authorizing the Deputy District Attorney or County Solicitor for said counties a full time secretary and to fix the salary therefor.

By Mr. Williams (with notice and proof):

H. 936. To amend Act No. 69, H. 74, Second Special Session 1959 (Acts 1959, p. 238) which establishes the Jackson County Court, in order to regulate further the salary and allowances of the judge of such court.

By Mr. Williams (with notice and proof):

H. 935. To provide for the compensation of jurors in Jackson County.

By Mr. Tuck:

H. 847. To provide for reimbursing the members of the county governing bodies of all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county.

By Mr. Tuck (with notice and proof):

H. 873. To alter and rearrange the boundaries of the City of Eutaw, Greene County, Alabama.

By Mr. Steagall (with notice and proof):

H. 828. To authorize and provide for the establishment, maintenance, operation, and financing of a public law library in Dale County, Alabama.

By Mr. Burgreen (with notice and proof):

H. 794. To alter, rearrange, extend and redefine the boundaries and corporate limits of the Town of Ardmore in Limestone County, Alabama.

By Messrs. Berryman (W) and Graham (with notice and proof):

H. 694. Relating to Franklin County; providing for reimbursement of actual expenses of travel to members of the board of revenue when traveling out of the county on county business; and providing for retroactive effect of this act.

By Messrs. Berryman (W) and Graham (with notice and proof):

H. 817. To levy additional county privilege license and excise taxes for public school purposes in Franklin County paralleling, with like provisions for the county, such state sales and use taxes levied by Act No. 100, Second Special Session 1959, as amended, and Acts supplemental thereto, and levied by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended, and Acts supplemental thereto; providing for the enforcement and collection of such taxes by the department of revenue and the distribution of the proceeds thereof and providing that this Act supersedes Act No. 516, approved November 19, 1959, Acts of Alabama 1959, Volume 2, page 1267.

By Mr. Jackson:

S. 676. To require the teaching of Bible history in all public high schools in counties having populations of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census; to provide for instructors of such courses; to repeal conflicting laws and specifically to repeal and supersede conflicting provisions of Sections 322 and 408 of Title 52, Code of Alabama 1940, as amended to the extent of such conflict as to all counties to which this act applies.

By Mr. Drake (with notice and proof):

H. 244. To amend further Section 3 of Act No. 18, H. 6, First Special Session 1955 (Acts 1955, p. 45), creating the Cullman County Commission on Education and establishing the office of superintendent of county schools, so as to provide further for the qualifications of said superintendent; repealing conflicting laws.

By Messrs. Agee and McCorquodale:

H. 969. Relating to all counties having populations of not less than 15,300 nor more than 15,400 according to the most recent federal decennial census; fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

By Messrs. Manley and Pruitt:

H. 896. To apply only in counties having populations of not less than 27,000 nor more than 30,000; providing expense allowances for members of the county board of equalization payable from the general funds of the county; and giving the act retroactive effect.

By Messrs. Agee and McCorquodale (with notice and proof):

H. 894. Relating to Washington County; providing for the election of members of the court of county commissioners, board of revenue, or other like governing body of Washington County by the county at large.

By Messrs. Bassett and Hardin (with notice and proof):

H. 931. To create the Inferior Court of Pike County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Pike County, the County Court of Pike County, and all criminal and quasi criminal jurisdiction of Justices of the Peace in said county.

By Mr. Pearson (with notice and proof):

H. 933. Regulating and providing for the payment of the compensation of certain deputies of the Sheriff in Autauga County.

By Mr. Stubbs (with notice and proof):

H. 830. To alter, redefine and reduce the corporate limits of the Town of Vincent in Shelby County so as to exclude therefrom certain territory.

By Mr. Stubbs (with notice and proof):

H. 829. To provide for an advisory referendum relative to the election of the superintendent of education of Shelby County; and to provide for the appointment or election of the county superintendent of education of such county in the manner favored at such referendum.

By Messrs. Pruitt and Manley (with notice and proof):

H. 934. To alter, rearrange and extend the boundary lines and corporate limits of the town of Livingston in Sumter County.

By Mr. Fite:

H. 906. To amend the title and Section 2 of Act No. 65, H. 738, Regular Session 1969, approved June 27, 1969, an Act providing for a travel allowance for the chairman and members of the board of revenue in counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census, so as to increase the travel allowance of the chairman.

By Mr. Fite:

H. 976. Relating to all counties having populations of not less than 14,500 nor more than 14,900, according to the last or any subsequent federal decennial census; providing for the payment by the county of expense allowances for members of the jury commission in such counties.

By Mr. Fite:

H. 977. Relating to counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census; authorizing the county board of education to provide the superintendent of education an annual expense allowance, in addition to any and all other salary, compensation or allowances now provided for such officer by the county governing body.

By Mr. Fite:

H. 978. Relating to all counties having populations of not less than 14,500 nor more than 14,900 according to the last or any subsequent federal decennial census; providing for the payment by the county of expense allowances for members of boards of registrars in such counties.

By Mr. Fite:

H. 903. Relating to counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census; to provide for an expense allowance for the county engineer payable from the general funds of the county.

By Mr. Fite:

H. 905. Relating to counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census; to provide for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

By Mr. Fite:

H. 904. Relating to counties having a population of not less than 14,500 nor more than 14,900, according to the last or any subsequent federal decennial census; to provide for an expense allowance for the members of the county board of equalization payable from the general funds of the County.

By Mr. Fite:

H. 851. Relating to counties having populations of not less than 14,500 nor more than 14,900; to provide for the qualifications of the superintendent of education in any such county.

Mr. Hawkins, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Stone:

S. 322. To amend Act No. 221, H. 40, of the First Special Session of 1965 (Acts, Special Session 1965, p. 288) in relation to the State Textbook Committee, prescribing the number of members thereof, the manner of their appointment, their terms of office and the time for meetings of the committee.

Mr. Hawkins, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute and it was read a second time and placed on the calendar, to-wit:

By Mr. Dill et al (with substitute):

H. 274. To amend Section 142, Chapter 7, Title 52, Code of Alabama, 1940, as amended.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Givhan (with amendment):

S. 507. To amend the provisions of Title 22, Section 215, Code of Alabama, 1940, as amended, by exempting associations and cooperative corporations from payment of license fees as milk producers.

By Mr. Givhan (with amendment):

S. 508. To amend the provisions of Title 22, Section 206, Code of Alabama, 1940, as amended, by changing the definitions of milk dealer, producer, wholesale producer, and cooperative marketing association in the milk board law.

By Mr. Givhan (with amendment):

S. 509. To amend the provisions of Title 22, Section 228, Code of Alabama, 1940, as amended, by changing the provisions of the milk board law with respect to cooperative corporations.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lolley:

S. 571. To amend further Section 2 of the Farmers Market Authority Act, Act No. 672, S. 99 of the Regular Session of 1965, as heretofore amended by Act No. 174, H. 117 of the Special Session of 1966, (Acts of Alabama 1965, p. 1208 and Acts of Alabama, Special Sess. of 1966 p. 200) which said Section 2 of said Act relates to the membership of the Farmers Market Authority.

By Messrs. Givhan, Branyon, Adams and Folsom:

S. 440. To regulate the sale and distribution of commercial fertilizers, fertilizer materials and other substances; requiring a license and permit for the sale thereof, prescribing the fee therefor, requiring labeling information; to levy an inspection fee upon the sale and distribution of fertilizers; prescribing the powers, duties and authority of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries for the administration and enforcement of this Act; providing for the assessment and payment of penalties for fertilizers deficient in claimed plant food value; authorizing the State Board of Agriculture and Industries to fix minimum plant food content, grades and ratios for fertilizers and to adopt rules and regulations for the administration and enforcement of this Act; other administrative and enforcement provisions including a penalty for violations of this Act; to repeal Article 16 of Chapter 1 of Title 2, Code of Alabama 1940, as amended; also, to repeal Act No. 365, Legislature of 1947, approved August 16, 1947.

By Mr. Givhan:

S. 435. To amend further Code of Alabama 1940, Title 22, Section 215, as amended, which pertains to "LICENSE FEES", so as to further fix the license fees to be paid by any person required to be licensed by the Milk Control Board; providing for a license fee of five dollars for a "Bulk Milk Tank Driver" and a license fee of ten dollars for a "Bulk Milk Tank Hauler"; increasing all one cent per hundred pounds of milk fees to one and one half cents per one hundred pounds of milk; and providing for the abatement of the one and one half cent license fees when the total amount collected equals the budgetary requirements of the Milk Control Board for that fiscal year, plus the sum of forty thousand dollars ($40,000).

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Givhan:

S. 660. To authorize the Commissioner of Agriculture and Industries to approve and certify soil testing laboratories that make recommendations for fertilizer or plant food needs for agricultural purposes; to authorize the State Board of Agriculture and Industries to adopt rules and regulations prescribing requirements and standards for the certification of soil testing laboratories and to provide an exemption therefrom; to prohibit false or fraudulent representations concerning certification as authorized hereunder and to provide a penalty for violations.

By Messrs. Mathews and Fite:

H. 780. To provide for a Dockets Clerk of the Court of Appeals of Alabama, to provide for the duties of said Dockets Clerk, to fix the compensation, and to make an appropriation for carrying out the provisions of this act.

By Mr. Marr et al:

H. 810. To create a mosquito abatement district in any two contiguous counties of this state having a combined population of not less than 360,000 nor more than 600,000, according to the most recent federal decennial census, for the purpose of controlling and abating mosquitoes and other vectors; to provide a mosquito control board for administrative purposes and to prescribe its authority; to provide for the appointment, number and terms of its members; to authorize the governing bodies of any county, city or town within the district to appropriate public funds for the purposes of this act.

By Mr. Steagall:

H. 901. To validate public hospital associations for public hospital purposes attempted to be organized under Act No. 211 adopted at the 1945 Regular Session of the Legislature of Alabama, as originally adopted or amended, where the governing body of a county, a city, or both, has or have authorized the incorporation of such association but where the attempted incorporation is invalid or irregular because of some irregularity in the procedure for incorporation.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Young:

H. 442. Relating to counties having a population of not less than 10,800 nor more than 12,000 according to the last and any succeeding Federal Decennial Census, providing for the compensation and allowances of members of the county governing body; and to validate actual expenses heretofore paid in performance of their duties outside the county.

By Mr. McDermott:

S. 677. Relating to counties having populations of not less than 300,000 and not more than 500,000; authorizing municipalities in such counties to contract with any public corporation operating a water system or water and sewer system or sewer system within the municipality to collect or assist in the collection of the municipal garbage service charge.

By Mr. McCorquodale (with notice and proof):

H. 922. To alter, rearrange and extend the boundary lines and corporate limits of the City of Jackson in Clarke County, Alabama; to exempt the annexed territory or certain parts thereof from ad valorem taxation by the city under certain conditions and to provide that certain police ordinances will not be effective in the annexed territory or certain parts thereof under certain prescribed conditions.

By Mr. Young (with notice and proof):

H. 907. To authorize the county governing body of Cleburne County to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law and to repeal conflicting laws.

By Mr. Young (with notice and proof):

H. 908. Relating to Cleburne County; authorizing the appointment of sheriff's deputies, and authorizing the county governing body to determine number of deputies and their salaries.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cameron et al (with substitute):

H. 138. Relating to cities having a population of not less than 100,000 nor more than 150,000 according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Williams (with notice and proof):

H. 871. To alter, rearrange and extend the boundary lines of the City of Scottsboro, Jackson County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

By Messrs. Beck and Meade:

H. 785. Relating to counties having populations of not less than 38,000 nor more than 45,000; authorizing an appropriation from the treasury of any such county for the relief of Eurell Bailey.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 130. To make further provisions respecting distribution to municipalities, under Act No. 224 adopted at the 1967 Special Session of the Legislature of Alabama, of that portion allocated to municipalities under the said Act No. 224 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Sections 5 and 7 of the said Act No. 224, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities under Section 5 of the said Act No. 224 that have not yet been distributed to the said municipalities.

Also:

S. 211. To amend further Section 1, Act No. 11, S. 59, Regular Session 1959, as amended, an act fixing the compensation of certain officers of Dallas County.

Also:

S. 442. Relating to counties having a population of not less than 16,500 nor more than 17,500; providing for direct distribution to municipalities of their proportionate share of gasoline tax proceeds allocated for municipalities in such counties.

Also:

S. 445. To amend paragraphs (1) and (3) of subsection C of Section 279 and Sections 289, 293 and 299, all being of Title 26, Code of Alabama 1940, as last amended, pertaining to the Workmen's Compensation Law.

Also:

S. 446. To amend Sections 202, 203, Paragraph 1 of Subsection A, and Paragraphs 3 and 4 of Subsection B, and Subsection F, and Subsection G and Subsection H, (all said paragraphs and subsections being in Section 204,) Section 207, Paragraph 1 of Subsection D and Paragraph 1 of Subsection L of Section 214, Title 26, Code of Alabama 1940, as amended, all relating to unemployment compensation.

Also:

S. 452. Relating to counties having a population of not less than 32,200 nor more than 35,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act.

Also:

S. 225. Relating to the destruction of public records; authorizing the state treasurer to destroy certain cancelled state warrants and the journals pertaining to such warrants; and repealing Act No. 589, H. 141, of the Regular Session of 1957 (Acts of 1957, p. 826) and all other conflicting laws.

Also:

S. 226. To amend Code of Alabama 1940, Title 55, Section 223, which relates to the records of the state treasurer relative to cancelled coupons on coupon bonds issued by the State so as to require and regulate the making and auditing of certain records relative to coupon bonds and the destruction of certain cancelled bonds.

Also:

S. 227. To provide a method for indication of the Governor's approval of vouchers or accounts payable by the State Comptroller, which require the Governor's approval, by method of certification of the department director or executive officer requesting payment.

Also:

S. 228. To authorize all departments and agencies of the State of Alabama to execute and enter into lease sale contracts for the procurement of materials, machinery and other equipment; to require that such contracts be subject to and comply with the provisions of Chapter 4, Title 55 and Chapter 21, Title 55, Code of Alabama 1940 (Recompiled 1958).

Also:

S. 239. To regulate the execution of certain public contracts for the sale of state-owned tangible personal property or standing timber by competitive bid; to provide for disposition of proceeds from such sales; and prescribe penalties.

Also:

S. 244. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the town of Hartford in Geneva County.

Also:

S. 54. To make an appropriation to Auburn University for operation and maintenance of the school at Montgomery.

Also:

S. 128. Making an appropriation from the state treasury for the relief of G. W. Hardwick of Enterprise, Alabama.

Also:

S. 176. To provide for compliance with provisions of Article 3 of Title 47 of the Code of Alabama of 1940 requiring entry of partial payments of indebtedness secured by mortgage or other encumbrance on the margin of the record by the furnishing of a separate written instrument.

Also:

S. 492. To create offices of Deputy District Attorney No. 1, Deputy District Attorney No. 2, and Deputy District Attorney No. 3 of the Sixth Judicial Circuit and provide for the appointment, duties and compensation of such offices.

Also:

S. 512. To amend Section 5 of Act No. 77, H. 325, Regular Session 1947 (Local Acts 1947, p. 55) as amended, an act to create the office of county solicitor of Autauga County, so as to provide an expense allowance for the county solicitor.

Also:

S. 240. To provide for the voiding of state warrants outstanding at the close of the fiscal year next following the fiscal year in which they were issued, and for the barring of the claims based thereon.

Also:

S. 249. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding $4,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the payment of the costs of the work required of the Alabama State Docks as the local sponsoring agency for the improvement in Mobile Harbor, Alabama, known as the Theodore Ship Channel project or for the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding $2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds

and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

Also:

S. 510. To amend Section 1 of Act No. 21 adopted at the Extraordinary Session of 1969 of the Legislature of Alabama so as to change the definition of "Utility" as said definition appears in said Section 1.

Also:

S. 511. To amend Section 1 of Act No. 37 adopted at the Extraordinary Session of 1969 of the Legislature of Alabama so as to change the definition of "Utility" as said definition appears in said Section 1.

Also:

S. 20. To amend section 5 of Act No. 755, Regular Session 1967 (Acts 1967, p. 1609) which act provides for supernumerary tax collectors, tax assessors or other elected officials charged with assessment and/or collection of ad valorem taxes in various counties, to allow persons eligible for those positions to be appointed whether or not they are eligible for retirement under another retirement plan.

Also:

S. 291. Relating to the authority of the Highway Director to alter plans or character of work on construction projects after they have been let to contract; to determine the need for new or additional work not contemplated or included in the original construction contract; and to enter into a supplemental agreement with the prime contractor for extra work or to direct the prime contractor to perform the extra work on a force account basis.

Also:

S. 329. To repeal Act No. 329, H. 714, approved July 1, 1943, as amended, an act relating to construction of farm to market roads (General Acts 1943, p. 311 et seq.).

Also:

S. 330. To provide for the disposition of unobligated SACP funds which have reverted to the State Highway Department.

Also:

S. 402. To provide that the Board of Revenue, or like governing body now existing or that may be hereafter created in all Counties of Alabama, having a population of not less than 150,000 nor more than 300,000 inhabitants according to the 1960 Federal Census pay to the Recorder of the Recorder's Court of all cities located in said County or counties for ex officio services rendered by the Recorder in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum of Five Thousand One Hundred and NO/100 (5,100.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury, and providing further for the payment to the designated Prosecuring Attor-

ney of the Recorder's Court located in said County or counties for ex officio services rendered by him in the prosecution of cases in Recorder's Court wherein there is charged a violation of the laws of Alabama a sum of Three Thousand and No/100 (3,000.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury.

Also:

S. 457. To amend Section 6 of Act No. 217, H. 275, approved August 1, 1961, (Acts of Legislature, Regular Session of 1961, Volume 1, pp. 244, et seq.), An Act "To provide for and prescribe the form of government of all cities having populations of not less than 30,000 nor more than 31,500."

Also:

S. 503. Relating to Wilcox County; to amend further Act No. 436, S. 397, Regular Session 1939 (Loc. Acts 1939, p. 261), an act which provided further for the duties, power, authority, and compensation of the members of the Court of County Commissioners of Wilcox County.

Also:

S. 504. To amend Act No. 192, H. 652, Regular Session 1955 (Acts 1955, p. 477), an act which authorizes and requires the governing body of Wilcox County to pay the clerk hire of certain county officers.

Also:

S. 513. Relating to the Thirty-first Judicial Circuit; extending the powers, authority and duties of the District Attorney of any such Judicial Circuit so as to empower, authorize and require that such District Attorney supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary, in any and all inferior courts located and constituted in the county composing any such judicial circuit; creating the office of deputy District Attorney for any such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of such deputy District Attorney and for his compensation, and further providing that such compensation shall be paid out of the general fund of the county composing any such judicial circuit; authorizing the District Attorney of such circuit to appoint a stenographic secretary, and providing for the payment of said secretary's compensation from the general funds of the county constituting such circuit; providing for the supplemental compensation of the District Attorney of the 31st Judicial Circuit and that such supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

RESOLUTIONS

Messrs. Adams, Albea, Bailes, Branyon, Carr, Childs, Clark, Cooper, Dominick, Engel, Folsom, Giles, Gilmore, Givhan, Goodwyn, Harris, Hawkins, Jackson, Leonard, Lolley, McCarley, McDermott, Morrow, Nabors, O'Bannon, Oden, Pelham, Pierce, Radney, Skidmore, Stone, Torbert, Turner and Vacca offered the following Senate Joint Resolution, to-wit:

S. J. R. 48. WHEREAS Mrs. Mary L. Lindsey, the mother of our esteemed and well beloved colleague, Senator W. H. "Pat" Lindsey, died tragically in a fire at her home on July 17, 1969; and

WHEREAS this body extends its deepest and most heartfelt sympathy to Senator Lindsey, his father, W. H. Lindsey, Jr. and his sister, Mrs. Kay Lindsey Kimbrough, in this sudden and tragic bereavement; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the untimely death of Mrs. Lindsey and express our hope that needless deaths and injuries such as she suffered may be averted in the future.

BE IT FURTHER RESOLVED that copies of this resolution be sent to W. H. Lindsey, Jr., to Senator W. H. Lindsey, III, and Mrs. Kay Lindsey Kimbrough, a daughter, Mobile, Ala.

On motion of Mr. Skidmore, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 49. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That when the two Houses adjourn today they adjourn to meet again on Wednesday, July 23, 1969, and when they adjourn on Wednesday, July 23, 1969, they adjourn to meet again on Thursday, July 24, 1969.

Which was read and referred to the Standing Committee on Rules.

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 50. RESOLVED BY THE SENATE That the following bill be made special, paramount and continuing order of business for the Senate until disposed of, taking priority over all other bills on the calendar immediately upon adoption of the Resolution, and continuing on subsequent days on reaching Bills on Third Reading on the Regular Order of Business:

SB 8, Page 4

Mr. Cooper offered the following amendment to the Resolution, S. R. 50, to-wit:

AMENDMENT TO S. R. 50

Amend S. R. 50 by striking therefrom the following words:

"and continuing on subsequent days on reaching bills on Third Reading on the regular order of business:
and inserting in lieu thereof the following:

"for the 21st Legislative Day only:"

RECESS

At 2:23 P.M., on motion of Mr. Cooper, the Senate took a recess until 3:45 o'clock this afternoon.

The recess period having expired, the Senate was called to order by President Pro Tempore Goodwyn. A quorum of the Senate was present.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 431. Relating to counties having population of not less than 25,400 nor more than 25,600 according to the most recent federal decennial census; providing for payment of in county travel expenses for county commissioners, payable from the county treasury.

Also:

H. 321. To provide that no municipality whose corporate limits do not lie within or extend into Shelby County shall have or exercise police jurisdiction or powers in said county.

Also:

H. 322. To alter, redefine and reduce the corporate limits of the City of Leeds so as to exclude therefrom any and all territory lying within the boundaries of Shelby County.

Also:

H. 687. Relating to Autauga County; further regulating the places of meetings of the board of registrars.

Also:

H. 689. Relating to Marengo County; to provide that the corporate authorities of any city therein, and the Board of Revenue, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Board of Revenue may unite in the establishment of such service, making it common for the use of the city and of the county.

Also:

H. 555. Relating to St. Clair County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Springville in said county.

Also:

H. 669. Relating to counties having populations of not less than 26,000 and not more than 27,000; providing an additional mileage allowance for the members of the governing body of such counties to be used in attending certain conventions.

Also:

H. 756. To apply only to counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Also:

H. 701. To abolish the public highway and traffic fund in the county treasuries of all counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; and to provide for the transfer of any monies therein to the general fund in each of such counties and for the deposit in such general fund of such counties of all monies dedicated to construction, maintenance and repair of roads and bridges or to traffic control, hereafter accruing to such counties.

Also:

H. 595. To provide further for the selection of textbooks and instructional materials for use in the public schools in all counties having populations of not less than 36,600 nor more than 37,600, according to the most recent federal decennial census.

Also:

H. 702. Relating to all counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; further regulating the number and compensation of deputies and other employees of the sheriffs in such counties.

Also:

H. 766. Relating to the compensation of members of boards of directors of certain municipal corporations in cities having populations of not less than 20,500 nor more than 28,000, according to the most recent federal decennial census; amending further Section 3 of Act No. 175, S. 280, Regular Session of 1951 (Acts 1951, p. 416).

Also:

H. 26. To alter or rearrange the boundary lines of the City of Thomasville, Alabama, so as to include in the corporate limits of said city certain territory not now included, and to exclude from the City of Thomasville, Alabama, certain territory now included in the corporate limits of said city.

Also:

H. 199. To amend Act No. 606, H. 737, Regular Session 1967, an act regulating the practice of barbering and the operation of barber shops and barber schools in counties having populations of not less than 100,000 nor more than 115,000 (Acts 1967, v. 2, p. 1395 et seq.).

Also:

H. 763. Relating to counties having populations of not less than 15,300 nor more than 15,400, according to the most recent federal decennial census; to provide for the disposition of guns, nets, and other equipment taken or found by police officers in game and fish cases in such counties.

Also:

H. 769. To fix expense allowances of Courts of County Commissioners, Boards of Revenue or like governing bodies of all counties having a population of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census by providing for expenses for travel out of the county. This Act is in addition to all existing allowances.

Also:

H. 773. Relating to judicial procedure in all counties having populations of not less than 76,000 nor more than 96,000: To authorize and provide for the judge, in his discretion, to excuse veniremen summoned for the week in which a person or persons indicted for a capital felony is to be tried, prior to the call of the case and without the defendant or his attorney being present.

Also:

H. 786. To repeal Act No. 157, S. 276 of the Regular Session of 1965 (Acts, 1965, Regular Session, p. 227), entitled "An Act further regulating commercial fishing in public waters in all counties having populations of not less than 96,000 nor more than 106,000, so as to prohibit the use of gill or trammel nets or hoop or fyke nets in commercial fishing operations in such counties."

Also:

H. 787. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the territory of Etowah County exclusive of Gadsden and Attalla.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

RESOLUTION

Mr. Nabors offered the following Senate Resolution, to-wit:

S. R. 51. BE IT RESOLVED BY THE SENATE OF ALABAMA That under Rule 19 of the Senate Rules, debate on the pending measure shall cease at 5:00 P.M. on the 21st Legislative Day and a vote be taken on said measure.

Which was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING

The Bill:

S. 645. To create a state commission to be known as the State Capitol Preservation Commission; to provide for the number, term and appointment

of members of the commission; to prescribe the commission's authority; and to provide that members of the commission shall serve without compensation or reimbursement of expenses.

was taken up.

Mr. Dominick offered the following substitute for the Bill, S. B. 645, to-wit:

SUBSTITUTE FOR S. 645

A BILL
TO BE ENTITLED
AN ACT

To create a state commission to be known as the State Capitol Preservation Commission; to provide for the number, term and appointment of members of the commission; to prescribe the commission's authority; and to provide that members of the commission shall serve without compensation or reimbursement of expenses.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established a state commission to be known as the State Capitol Preservation Commission. Such commission shall be composed of eight members, including two ex-officio members, who shall be the director of the State Building Commission and the director of the Department of Archives and History; one member shall be appointed by the Mobile Historic Development Commission, one shall be appointed by the Montgomery Historic Development Commission and one member shall be appointed by the Huntsville Historic Preservation Commission; the governor shall appoint three members from the state at large to serve for terms of two, three and four years respectively. Such members shall reside in divergent areas of the state and in some area other than those areas in which the other appointed members reside. The three members representative of the historical commissions in the cities of Mobile, Montgomery and Huntsville shall draw lots to determine which of such members shall serve for terms of two, three or four years. Thereafter all appointed members of the commission shall serve for terms of four years each and the ex-officio members shall serve throughout their terms of office. Members of the commission shall serve without compensation for their services and without reimbursement for expenses incurred.

Section 2. The commission shall be authorized and empowered to promote and preserve the historic character and architectural purity of the Capitol Building and grounds and to that end, it shall exercise authority, control and general supervisory jurisdiction over the Capitol grounds including walkways and driveways and over all areas within and without the Capitol Building, including the outer office of the executive suite. Such authority shall specifically include but not be limited to the corridors, lobbies, entranceways, rotundas, legislative chambers, lounges, rest rooms, porticos, steps and elevators. However, the commission shall have no jurisdiction over the areas used for private office space, except as to structural modifications. The commission shall have exclusive jurisdiction over all areas herein specified; and any and all changes contemplated, whether they be architectural in nature or merely the moving, removing, replacement, or installation of furniture, furnishings and fixtures, shall first require the approval of the commission, and

no such action may be taken without such approval. The commission may recommend to the legislature such changes as it deems necessary or desirable or in keeping with the conservation of the historic and architectural value of the State Capitol Building and grounds whenever such changes require an appropriation of funds. The commission shall be authorized to initiate such changes on its own behalf when no appropriation of funds is required to complete the change in an effective and satisfactory manner.

Section 3. The commission shall meet at the State Capitol Building at least twice each year, one of which said meetings shall be designated as the annual meeting. The commission, at its organizational meeting, shall elect a chairman and a secretary. Said officers shall serve terms of one year each and until their successors are elected.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Cooper, further consideration of the Bill, S. B. 645 and pending substitute, was postponed until the next Legislative Day.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 48. Relative to death of Mrs. Mary L. Lindsey, the mother of Senator W. H. "Pat" Lindsey.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Conference Committee Report on the bill, S. 182, and requests that a new Committee on Conference be appointed. The Speaker of the House has appointed as a Committee Messrs. Cameron, Merrill and Springer.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pierce, the Senate acceded to the request of the House for a new Conference Committee on the disagreement of the two Houses on the Conference Committee Report on the Bill, S. B. 182.

The President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Turner, Pierce and Giles.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 48. Mourning the death of Mrs. Mary L. Lindsey, mother of Senator W. H. Lindsey.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

FURTHER CONSIDERATION OF S. R. 50

The Senate proceeded to further consideration of the Resolution:

S. R. 50. Setting Special Orders

The question was on the amendment offered by Mr. Cooper. On motion of Mr. Harris, said amendment was laid on the table.

Yeas 21; Nays 7.

Yeas:

Messrs.:	Clark	Harris	Oden	
Adams	Dominick	Hawkins	Pierce	
Albea	Folsom	Morrow	Stone	
Bailes	Giles	Nabors	Torbert	
Carr	Gilmore	O'Bannon	Vacca	
Childs	Givhan			—21

Nays:

Messrs.:	Engel	Jackson	McDermott	
Cooper	Goodwyn	Lolley	Skidmore	
				—7

ADJOURNMENT

At 5:34 P.M., on motion of Mr. Cooper, pending further consideration of the Resolution, S. R. 50, the Senate adjourned until Thursday, July 24, 1969, at 10 o'clock A.M.

TWENTY-SECOND LEGISLATIVE DAY

THURSDAY, JULY 24, 1969

The Senate met pursuant to adjournment, President Pro Tempore Goodwyn presiding.

PRAYER

The Session was opened with prayer by the Reverend Albert S. Newton, Rector, All Saints Episcopal Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Engel	Jackson	Oden
Albea	Folsom	Lindsey	Pelham
Bailes	Giles	Lolley	Pierce
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca
Dominick			

—32

JOURNAL

On motion of Mr. Turner, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-First Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Twenty-First Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Bailes, leaves of absence were granted Messrs. Adams, Leonard and Radney for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Harris:

S. 702. To extend the boundary lines of the City of Hartselle, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory:

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

As required by Article 4, Section 106, of the Constitution of Alabama of 1901, notice is hereby given of the intention to apply at the present regular session of the Legislature of Alabama for the enactment of local law substantially as follows:

A BILL
TO BE ENTITLED
AN ACT

To extend the boundary lines of the City of Hartselle, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory:

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Hartselle, in Morgan County, Alabama, be and the same are hereby extended so as to include, in addition to the territory now embraced therein the following described property, to-wit:

That part of the S½ of the NE¼ of the SE¼ of Section 23, Township 7 South, Range 4 West lying East of the Easterly right-of-way line of the Louisville and Nashville Railroad; and that part of the SE¼ of the SE¼ of Section 23, Township 7 South, Range 4 West lying East of the Easterly right-of-way of the Louisville and Nashville Railroad.

Section 2. This Act shall be effective immediately upon the passage and approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 26, July 3, July 10, and July 17, all in the year 1969.

JACK W. HOFFHAUS.

Sworn to and subscribed before me July 22, 1969.

FAYE P. WEEKS,
Notary Public.

By Messrs. Giles and Pelham:

S. B. 703. Relating to elections; to amend Section 145 in relation to the number of signatures required on petitions for persons to become independent candidates, to define the term "political party" and making further provisions respecting Presidential electors and to provide for the appearance on the ballot of names of nominees for President and Vice President of the United States; and to amend Section 153, which relates to the form of ballot to be used at elections, consistent with the provisions of this Act so as to provide for voting for Presidential electors and for making the returns on votes for Presidential electors.

Committee on Privileges and Elections.

By Mr. Skidmore:

S. B. 704. To provide that persons employed in an administrative or clerical capacity by the Alabama Association of School Boards may become members of the Teachers' Retirement System of Alabama.

Committee on Finance and Taxation.

By Mr. Skidmore:

S. 705. Relating to Tuscaloosa County; to provide a chairman of the county governing body of such county; to prescribe his duties, powers and authority and fix his compensation; and to relieve the probate judge of such county of his duties, powers and authority as president and ex officio member of said governing body.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tuscaloosa County to provide a chairman of the county governing body of such county; to prescribe his duties powers and authority and fix his compensation; and to relieve the probate judge of such county of his duties, powers and authority as president and ex officio member of said governing body.

Be It Enacted by the Legislature of Alabama:

Section 1. The probate judge of Tuscaloosa County is hereby relieved of his duties, powers, and authority as president and ex officio member of the board of revenue or other like governing body of the county. Said duties, powers and authority shall be assumed by a chairman who shall be appointed by the Governor and who shall serve until his successor is elected and qualified.

Section 2. At the general election in November 1970 and every four years thereafter the qualified electors of Tuscaloosa County shall elect from the county at large a chairman of the county governing body in addition to the three members heretofore provided for by law. Such chairman shall assume office at the time the other members of the governing body assume office and shall hold office until his successor is elected and qualified. He must be a qualified elector and legal resident of the county.

Section 3. The chairman of the Tuscaloosa County Board of Revenue shall have and exercise the jurisdiction, power, and authority vested in, conferred on, or required of the probate judge of Tuscaloosa County as president and ex officio member of the board of revenue of said county under Act No. 729, H. 1683, Regular Session 1915 (Local Acts 1915, p. 470) as amended and the general laws of Alabama regarding duties, powers and authority of the presiding officer of a county governing body. As compensation for his services the chairman shall receive a salary of $12,000 per annum paid in equal monthly installments as the salaries of the other members of the board are paid.

Section 4. The provisions of this act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl S. Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 26, July 3, July 10, and July 17, all in the year 1969.

KARL S. ELEBASH, JR.

Sworn to and subscribed before me July 17, 1969.

LULLENE DuBOSE,
Notary Public.

By Messrs. Turner, Goodwyn, Childs, Pierce, Pelham and McCarley:

S. B. 706. To authorize the Attorney General and his Assistants to issue subpoenas, to provide for the service of the subpoenas by any lawful officer of the State and their compensation, and to provide for the enforcement of said subpoena by the courts of the State.

Committee on Judiciary.

By Messrs. Turner, Goodwyn, Childs, Pierce, Pelham and McCarley:

S. B. 707. To authorize the Attorney General to employ investigators, to prescribe the duties and authority of such investigators, and to provide for their compensation.

Committee on Judiciary.

By Mr. Turner:

S. 708. Relating to Crenshaw County; providing for the compensation of members of the county board of education.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ALABAMA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Crenshaw County, providing for the compensation of members of the county board of education.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the county board of education in Crenshaw County shall be paid fifteen dollars ($15) a day for each day in actual attendance at meetings of the board. Such compensation shall be paid from the public school funds of the county.

Section 2. The provisions of this act are cumulative, but all laws and parts of laws in direct conflict herewith are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT

PROOF OF PUBLICATION

STATE OF ALABAMA
CRENSHAW COUNTY

Before the undersigned Notary Public personally came Mary P. Reeder, who being duly sworn says upon oath that she is Publisher of a newspaper published at Luverne, Crenshaw County, Alabama known as The Luverne Journal, and that the notice of publication, a true copy of which is hereto annexed, and being entitled: STATE OF ALABAMA COUNTY OF ALABAMA NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its . . . . . was published in said newspaper, once a week for four consecutive weeks, to-wit in the issues of said newspaper dated: June 25, 1969, July 2, 1969, July 9, 1969, July 16, 1969.

MARY P. REEDER.

Sworn and subscribed to before me this 30th day of July 1969.

PEGGY L. KNIGHT,
Notary Public.

My Commission Expires 3-28-70.

By Mr. Turner:

S. 709. To abolish all boards of trustees for public schools in Crenshaw County; and to authorize the board of education of Crenshaw County to provide for the performance of all duties heretofore required of such school trustees.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGALS

STATE OF ALABAMA
COUNTY OF CRENSHAW

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To abolish all boards of trustees for public schools in Crenshaw County; and to authorize the board of education of Crenshaw County to provide for the performance of all duties heretofore required of such school trustees.

Be It Enacted by the Legislature of Alabama:

Section 1. All boards of trustees, appointed pursuant to Code of Alabama 1940, Title 52, Section 100, for public schools in Crenshaw County are hereby abolished. After this Act becomes effective the board of education of Crenshaw County shall not appoint school trustees for any public school in Crenshaw County.

Section 2. The county board of education shall provide for the performance of all duties relative to school buildings in Crenshaw County, heretofore delegated to and required of the school trustees in such county. Such board of education may assume such duties or delegate them to a member or members of the board or to an employee of the board or to the principal or an employee of the particular school, or may provide for their performance in any other manner they deem expedient.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT

PROOF OF PUBLICATION

STATE OF ALABAMA
CRENSHAW COUNTY

Before the undersigned Notary Public personally came Mary P. Reeder, who being duly sworn says upon oath that she is Publisher of a newspaper published at Luverne, Crenshaw County, Alabama known as The Luverne Journal, and that the notice of publication, a true copy of which is hereto annexed, and being entitled:

State of Alabama County of Crenshaw Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its . . . . . was published in said newspaper,

once a week for four consecutive weeks, to-wit in the issues of said newspaper dated: June 25, 1969, July 2, 1969, July 9, 1969, July 16, 1969.

MARY P. REEDER.

Sworn and subscribed to before me this 30th day of July, 1969.

PEGGY L. KNIGHT,
Notary Public.

My Commission Expires 3-28-70.

By Mr. Turner:

S. 710. To provide for the appointment of the county superintendent of education of Crenshaw County; to provide for and regulate his compensation; and to repeal conflicting laws.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGALS

STATE OF ALABAMA
COUNTY OF CRENSHAW

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the appointment of the county superintendent of education of Crenshaw County; to provide for and regulate his compensation; and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. In Crenshaw County the county board of education shall appoint the county superintendent of education for a term of from two to four years from the first day of July next succeeding his appointment. Provided, that the first county superintendent of education appointed under this Act shall assume his office upon the expiration of the term of the incumbent elected superintendent of education. The appointed superintendent of education shall possess the qualifications prescribed in the general law of Alabama relative to the qualifications of county superintendents of education and shall perform the same duties and have the same authority as the elected superintendent.

Section 2. The county superintendent of education of Crenshaw County shall receive as compensation for his services an annual salary in such amount as is fixed by the county board of education, and an expense allowance in an amount fixed by the county board of education; but the total amount of such salary and expense allowance combined shall not exceed $15,000 per annum. The salary of the county superintendent shall be paid at the times and in the manner prescribed by the general law for the payment of salaries of county superintendents of education. The expense allowance shall be paid in equal monthly installments from the public school funds of Crenshaw County. The county board of Crenshaw County is hereby authorized and directed to fix and approve the salary and expense allowance of the county super-

intendent of education, subject to the above prescribed limitation. Such salary and expense allowance shall be the entire compensation allowed the county superintendent and shall be in lieu of all other compensation, salary and allowances heretofore provided for the superintendent of education of such county.

Section 3. The provisions of Act No. 83, H. 68, Regular Session 1931 (Local Acts 1931, p. 21), all laws amendatory thereof and all other laws or parts of laws in conflict with this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT

PROOF OF PUBLICATION

STATE OF ALABAMA
CRENSHAW COUNTY

Before the undersigned Notary Public personally came Mary P. Reeder, who being duly sworn says upon oath that she is Publisher of a newspaper published at Luverne, Crenshaw County, Alabama known as The Luverne Journal, and that the notice of publication, a true copy of which is hereto annexed, and being entitled: STATE OF ALABAMA COUNTY OF CRENSHAW NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its . . . . was published in said newspaper, once a week for four consecutive weeks, to-wit in the issues of said newspaper dated: June 25, 1969, July 2, 1969, July 9, 1969, July 16, 1969.

MARY P. REEDER.

Sworn and subscribed to before me this 30th day of July 1969.

PEGGY L. KNIGHT,
Notary Public.

My Commission Expires 3-28-70.

By Mr. Turner:

S. 711. To provide further for the government of Crenshaw County; to redivide the county into commissioners districts; to provide for the election, qualifications and terms of office of members of the court of county commissioners; to regulate further their duties relative to roads and bridges; to provide for the construction, repair and maintenance of public roads and bridges in the county on the county unit basis; to provide for a county engineer and prescribe his powers and duties.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGALS

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CRENSHAW

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide further for the government of Crenshaw County; to redivide the county into commissioners districts; to provide for the election, qualifications and terms of office of members of the court of county commissioners; to regulate further their duties relative to roads and bridges; to provide for the construction, repair and maintenance of public roads and bridges in the county on the county unit basis; to provide for a county engineer and prescribe his powers and duties.

Be It Enacted by the Legislature of Alabama:

Section 1. Crenshaw County is hereby divided into four commissioners districts. District number one shall be composed of all that portion of Crenshaw County which lies west of the center line of Alabama Highway 97 and U. S. Highway 331 and north of the center line of Alabama Highway 10.

District number two shall be composed of that portion of Crenshaw County lying east of the center line of Alabama Highway 97 and U. S. Highway 331 and north of the center line of U. S. Highway 29.

District number three shall be that portion of Crenshaw County lying south of the center line of Alabama Highway 10 and west of U. S. Highway 29 and U. S. Highway 331 until they intersect at Brantley and then west of U. S. Highway 29 to the point where said highway leaves Crenshaw County and enters Covington County.

District number four shall be composed of that portion of Crenshaw County lying south of the center line of U. S. Highway 29 to the point where U. S. Highway 29 merges with U. S. Highway 331 and west of said U. S. Highway 29 and 331 to the point where they divide at Brantley and then east of U. S. Highway 29 from Brantley to the point where said highway leaves Crenshaw County and enters Covington County.

Section 2. The commissioners serving when this act becomes law shall serve out the terms for which they have been elected; and the term of the commissioners representing districts 2 and 4, as such districts were heretofore constituted, are hereby extended until the first Monday after the second Tuesday in January 1973. Successors to all four members of the court of county commissioners shall be elected at the general election in 1972 and every four years thereafter as provided in Section 3 of this Act.

Section 3. At the general election in 1972, and every four years thereafter, one member of the court of county commissioners of Crenshaw County shall be elected from each of the four above defined districts. Candidates for election to membership shall each qualify as to the specific district he seeks to represent and he shall be a resident and qualified elector of the district for which he qualifies. Each commissioner shall continue to live in the district for which he is elected so long as he is a member of the court. All members of the court of county commissioners shall be elected to office by the qualified electors of the whole county, and each member so elected shall serve for a term of four years from the first Monday after the second Tuesday in January after his election and until his successor is elected and qualified.

Section 4. After this Act becomes effective, members of the court of county commissioners shall not be responsible for the construction, repair and maintenance of the public roads and bridges in their respective districts, nor shall any commissioner be authorized to purchase from

county funds any road building materials, machinery, tools or equipment. All public roads and bridges in the county shall be constructed, repaired and maintained and all road building materials and equipment purchased as hereinafter provided. Upon demand therefor by the county engineer each commissioner shall deliver to the county engineer all county-owned road building materials, machinery, tools or equipment in his possession. Upon such delivery thereof the commissioner shall be relieved of further responsibility for such materials, machinery, tools and equipment. Except as herein otherwise provided, the court of county commissioners and the members thereof shall retain all the powers, duties and authority now provided by law for such court and the members thereof.

Section 5. The roads and bridges of Crenshaw County shall be constructed, repaired, and maintained on the basis of the county as a unit and without regard to district lines. No county personnel or equipment shall be allocated or used in the construction, repair, and maintenance of county roads and bridges on any basis other than the county as a unit. The court of county commissioners shall adopt annually a detailed financial budget to be followed during the ensuing year in the construction, repair, and maintenance of the roads and bridges of the entire county. The budget shall specify the roads and bridge to be repaired and where new roads and bridges are to be located and constructed, and, shall allocate a specific amount or portion of county funds for such repairs and construction. The budget shall not be departed from except in cases of emergency upon a unanimous vote of the court of county commissioners.

Section 6. Immediately after the effective date of this Act, the court of county commissioners shall appoint a county engineer for Crenshaw County to serve at the pleasure of the court. The county engineer shall possess all the qualifications prescribed for county engineers by the general laws of Alabama. He shall have general supervision of the road and bridge work of the county, under the direction of the court of county commissioners. The court shall fix the salary of the county engineer, which shall be paid in equal monthly installments from the road and bridge funds of the county. The county engineer shall reside in Crenshaw County during his term of employment.

Section 7. Subject to the direction of the court of county commissioners, and in accordance with the road and bridge budget adopted by the court, the county engineer shall:

(1) Exercise general supervisory powers over the construction and maintenance of the county public roads and bridges, which construction and maintenance work shall be performed on the basis of the county as a unit, without regard to any district lines;

(2) Perform such engineering and surveying service as may be required and prepare and maintain the necessary maps and records.

(3) Employ, and when necessary terminate the employment of, such employees as are necessary properly to construct, repair, and maintain the county public roads and bridges;

(4) Confer with the members of the court of county commissioners from time to time toward the end that the policies of the court may be understood and accurately carried out; and

(5) Perform other duties as may be required of him by the court of county commissioners and duties required by the general law of county engineers.

Section 8. The county engineer is hereby designated as the person authorized to make written requisitions upon the chairman of the court

of county commissioners who shall act as the county purchasing agent for all articles, materials, supplies, and equipment necessary for the construction, repair, and maintenance of roads and bridges.

Section 9. The county engineer shall be the custodian of, and shall be accountable for, all road tools, machinery, supplies, and equipment of Crenshaw County. The court of county commissioners shall furnish the necessary storage facilities for the tools, machinery, supplies, and equipment; and the county engineer shall keep on file in his office at all times, a current inventory of all tools, machinery, supplies, and equipment belonging to the county.

Section 10. Subject to the approval of the court of county commissioners, the county engineer shall fix, from time to time, in accordance with prevailing economic conditions, the scales of salaries or wages to be paid for labor necessary to the construction, repair, and maintenance of the county roads and bridges.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws in conflict with the provisions of this Act are repealed.

Section 13. This Act shall take effect on the first day of the month next following the date of enactment.

AFFIDAVIT

PROOF OF PUBLICATION

STATE OF ALABAMA
CRENSHAW COUNTY

Before the undersigned Notory Public personally came Mary P. Reeder, who being duly sworn says upon oath that she is Publisher of a newspaper published at Luverne, Crenshaw County, Alabama known as The Luverne Journal, and that the notice of publication, a true copy of which is hereto annexed, and being entitled: LEGAL NOTICE STATE OF ALABAMA COUNTY OF CRENSHAW NOTICE IS hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application . . . was published in said newspaper, once a week for four consecutive weeks, to-wit in the issues of said newspaper dated: May 28, 1969, June 4, 1969, June 11, 1969, June 18, 1969.

MARY P. REEDER.

Sworn and subscribed to before me this 30th day of July 1969.

PEGGY L. KNIGHT,
Notary Public.

My Commission Expires 3-28-70.

By Mr. Goodwyn:

S. B. 712. To provide that any estate in real property may be acquired and held in the name of a partnership or joint venture, to specify the manner in which any estate in real property so acquired and held may be conveyed, and to define certain terms as used herein.

Committee on Judiciary.

By Mr. Goodwyn:

S. B. 713. To amend Code of Alabama 1940, Title 29, Section 73, which relates to unlawful sites for liquor stores in certain municipalities classified according to population so as to change such classification.

Committee on Judiciary.

By Mr. Clark:

S. B. 714. To authorize the court of county commissioners, board of revenue, or like governing body of the several counties of this state, to appropriate funds of the county to the Lurleen B. Wallace Memorial Cancer Hospital Fund, Inc.

Committee on Public Buildings and Grounds.

By Mr. Oden:

S. B. 715. To amend Sections 220, 221 and 224 of Title 52 of the Code of Alabama of 1940, which relate to capital outlay warrants issued by any County Board of Education or City Board of Education, so as to clarify the said sections and so as to revise the provisions thereof as to the maximum interest rate, the maximum net interest cost, and the amount of redemption premiums that are permitted with respect to such warrants.

Committee on Finance and Taxation.

By Mr. Branyon:

S. B. 716. To apply only in counties having populations of not less than 15,500 nor more than 16,300 according to the most recent federal decennial census, fixing the per diem pay for members of the county board of equalization.

Committee on Local Legislation No. 1.

By Mr. Branyon:

S. B. 717. To make an appropriation to the Alabama Educational Television Commission.

Committee on Finance and Taxation.

By Mr. Turner:

S. B. 718. To amend Act No. 15, Third Special Session, Acts of Alabama, 1965, to provide that the Director of the Department of Archives and History shall be the executive director and archivist of the Alabama Academy of Honor created by said act.

Committee on Public Buildings and Grounds.

By Mr. Giles:

S. B. 719. Relating to the practice of barbering in all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appoint-

ment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law.

Committee on Local Legislation No. 1.

By Mr. Cooper:

S. B. 720. To authorize county and city boards of education to use certain portions of federal funds allocated pursuant to Title 1 for part payment of the salaries and expenses of certain county and city superintendents of education, and to provide for the determination of such proportionate amounts.

Committee on Finance and Taxation.

By Mr. Folsom:

S. B. 721. Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; to provide supplementary compensation for the secretary of the judge of the intermediate court in such counties; to repeal conflicting laws.

Committee on Local Legislation No. 1.

By Mr. Torbert:

S. 722. To amend Sections 3 and 4 of Act. No. 643, S. 414, approved November 19, 1959 (Acts of Alabama 1959 p. 1557) reducing the number of members of the tenure commission required to constitute a quorum for the transaction of the business of the commission and to provide payment to commission members for necessary expenses.

Committee on Judiciary.

By Mr. Goodwyn:

S. 723. Relating to insurance; prohibiting insurance companies from denying coverage due to failure of the insured to comply with a condition of the policy unless non-compliance is substantially prejudicial to the insuror.

Committee on Judiciary.

By Mr. Givhan:

S. 724. To make a conditional appropriation from the state treasury for the construction, equipment and furnishing of a substation in Dallas County for the Department of Public Safety.

Committee on Finance and Taxation.

By Messrs. Gilmore, Vacca, Bailes, Skidmore, Morrow, Hawkins, Dominick and Childs:

S. 725. To make an appropriation to the University of Alabama Medical Center for the planning and initiation of the School of Community and Allied Health Resources.

Committee on Finance and Taxation.

By Mr. McCarley:

S. 726. Relating to all counties having populations of not less than 18,000 nor more than 19,000, according to the most recent federal decennial census; to provide an expense allowance for the chairman and members of the governing body in such counties; to repeal conflicting laws.

Committee on Local Legislation No. 1.

By Mr. O'Bannon:

S. 727. To amend Act No. 113, S. 4, Special Session 1961 (Acts 1961, p. 809) relating to judicial circuits composed of only one county and having populations of not less than 60,500 and not more than 65,000 inhabitants according to the most recent federal decennial census which authorizes the district attorney of said circuit to appoint a stenographic secretary, so as to provide further for the compensation of such secretary.

Committee on Local Legislation No. 1.

REPORTS OF COMMITTEES

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Radney:

S. 264. To amend Code of Alabama 1940, Title 3 A, Section 2-314, in relation to implied warranties.

By Mr. Goodwyn:

S. 583. To provide for the participation of the State of Alabama in the Compact for Education; providing for a designation of its membership, purpose, powers and to make an appropriation therefor.

By Mr. O'Bannon:

S. 617. To provide for and regulate liens for work, labor and materials for installing paving, curbs, gutters, storm sewers, sanitary sewers and other improvements in or on public streets, avenues, alleys and other public ways.

By Mr. Goodwyn:

S. 626. Providing for privileged communications between clergymen and ministers and their communicants or confessors.

By Mr. Goodwyn:

S. 646. Relating to fees of justices of the peace; amending Code of Alabama 1940, Title 11, Sections 38 and 96, and Title 13, Sections 418, and 496, Forms 12 and 13, in order to prescribe different fees for justices of the peace in civil cases and certain other proceedings and to provide, in lieu of justices' fees in criminal cases, for the collection by justices of the peace of a fixed charge per case in all criminal cases, all of which must be remitted to the state, and for the payment by the state of compensation to justices of the peace for all their services pertaining to criminal cases tried in their respective courts on the basis of their case loads.

By Mr. Skidmore:

S. 169. To amend Code of Alabama 1940, Title 7, Section 165, relating to court costs in actions for declaratory judgments, so as to provide further for the assessment of attorneys' fees in certain cases involving policies of casualty insurance.

By Messrs. Bailes, Childs, Morrow and Vacca:

S. 562. Relating to judicial procedure; providing for privileged communications among psychotherapists, their patients and certain other persons; defining terms; providing for the application of this act and providing certain exceptions; repealing conflicting laws and specifically repealing Section 14 of Act No. 535, S. 195, Regular Session 1963 (Acts 1963, p. 1147).

By Messrs. Goodwyn and Pierce:

S. 637. To limit the period in which an appeal may be taken to the Supreme Court from any action or proceeding to set aside, contest or question the validity of any bonds issued by the State of Alabama, or by any department, commission, board, public corporation, authority, or other agency or instrumentality thereof; to set the time for the filing of the transcript of such appeal in the Supreme Court and of appellant's and appellee's briefs therein, and to establish a procedure for the hearing of such appeals by the Supreme Court.

By Mr. Torbert:

S. 644. To redivide the State into judicial circuits so as to create the Thirty-seventh Judicial Circuit, and to provide for a judge and solicitor of the newly created circuit or for a solicitor in the Fifth Circuit as the case may be.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment and it was read a second time and placed on the calendar, to-wit:

By Mr. Young et al (with amendment):

H. 28. To make it unlawful for a person to operate a motor vehicle loaded with gravel or other like substances in such manner that the contents of the vehicle spill out and endanger the property and safety of motorists and pedestrians, and to prescribe the punishment therefor.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cook (Coffee) et al:

H. 226. To fix the salary of the Attorney General.

By Messrs. Graham and Berryman (W):

H. 236. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

By Mr. Berryman (R) et al:

H. 510. Relating to eminent domain proceedings; amending Code of Alabama 1940, Title 19, Section 14 in relation to proceedings instituted by watershed conservancy districts and water management districts.

By Mr. Berryman (R) et al:

H. 511. To amend Act No. 517, S. 96, Legislature of 1957, approved September 13, 1957 (Acts of Alabama 1957, Vol. II, p. 705), an Act providing for the creation of watershed conservancy districts for developing and executing plans and programs for the conservation of water, water uses, flood prevention and control, prevention and control of erosion, flood water and sediment damages by amending Sections 1 and 9 of said Act.

By Messrs. McDonald, Starnes and Drake:

H. 529. To further amend Section 3 of Act No. 443, approved August 28, 1953, entitled "An act to provide law clerks to be appointed by the chief justice and the associate justices of the supreme court, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 549), as amended by Act No. 594, General Acts of Alabama 1959, p. 1483, and by Act No. 44, General Acts of Alabama 1965, Special Sess., p. 64, and to provide the time when the amendment shall become effective.

By Messrs. McDonald, Starnes and Drake:

H. 530. To further amend Section 3 of Act No. 724, approved September 17, 1953, entitled "An act to provide law clerks to be appointed by the presiding judge and associate judges of the Court of Appeals, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 979), as amended by Act No. 595, General Acts of Alabama 1959, p. 1484, and by Act No. 43, General Acts of Alabama 1965, Special Sess., p. 63, and to provide the time when the amendment shall become effective.

By Messrs. Smith and Bolton:

H. 564. Relating to the Twenty-ninth Judicial Circuit; creating an additional judgeship for such circuit; providing for the designation of such judgeships by number and for a presiding judge of such circuit; and providing for the election, term, compensation, powers, duties, liabilities and authority of an additional judge for such circuit.

By Messrs. Graham and Berryman (W):

H. 815. Relating to the Thirty-first Judicial Circuit; extending the powers, authority and duties of the District Attorney of any such Judicial Circuit so as to empower, authorize and require that such District Attorney supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary, in any and all inferior courts located and constituted in the county composing any such judicial circuit; creating the office of deputy District Attorney for any such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of such deputy District Attorney and for his compensation, and further providing that such compensation shall be paid out of the general fund of the county composing any such judicial circuit; authorizing the District Attorney of such circuit to appoint a stenographic secretary, and providing for the pay-

ment of said secretary's compensation from the general funds of the county constituting such circuit; providing for the supplemental compensation of the District Attorney of the 31st Judicial Circuit and that such supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

By Mr. Berryman (R):

H. 824. To amend the "Alabama Water Management Act", Act No. 685, S. 364, of the Regular Session of 1965, (Acts of Alabama of 1965, Regular Sess., Vol. II, p. 1246), "An Act to provide for the establishment of works of improvement for the drainage of wet, swamp, and overflowed lands of the State, and for flood prevention or the conservation, development, utilization and disposal of water within the State"; etc., by amending Sections 5, 9 and 10 of said Act which relate to the organization of water management districts.

By Messrs. Bolton and Smith:

H. 874. To provide for the appointment of a deputy district attorney for the Twenty-Ninth Judicial Circuit of Alabama, prescribe his powers and duties, fix and provide for payment of his compensation, and regulate his tenure in office.

Mr. Clark, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Clark, Adams, Givhan, Stone, Turner, Lindsey, Oden and Torbert:

S. 671. To require all departments, bureaus, boards, commissions and agencies of the state government to keep all state funds on deposit in the state treasury; to expressly prohibit the opening or maintaining of bank accounts for the deposit of state funds by such departments, bureaus, boards, commissions and agencies of the state government and to provide for certain exceptions to such act.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Leonard:

S. 701. To provide additional compensation for the official court reporters of all judicial circuits composed of only one county which has a population of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census.

By Mr. Torbert (with notice and proof):

S. 686. To authorize and provide for the establishment, maintenance, equipping, operation, and financing of a public law library in Lee County; and to provide for the taxing and collection of law library fees as items of court costs in cases docketed in all courts within the county, excepting justice of the peace courts.

By Mr. Lemley:

H. 940. Proposing an amendment to the Constitution relating to levying a special school tax in the school district of the City of Oneonta in Blunt County.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Stone:

S. 697. To apply only in counties having populations of not less than 40,000 nor more than 45,000; providing an expense allowance payable from the county treasury for the use of the coroner.

By Mr. Leonard (with notice and proof):

S. 691. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama:

By Mr. Harris (with notice and proof):

S. 683. To amend further Act No. 70, H. 346, Regular Session 1943 (Local Acts 1943, p. 34), an act placing the judge of probate of Morgan County on a salary basis and providing for clerical assistance, in relation to the compensation of the judge and his clerical assistants.

By Mr. Harris (with notice and proof):

S. 682. To fix the compensation of the members and the chairman of the Board of Revenue and Control of Morgan County; and to repeal Act No. 437, H. 937 of the Regular Session of 1951 (Acts, Regular Session 1951, p. 789) and all acts amendatory thereof, and other conflicting laws.

By Mr. Albea (with notice and proof):

S. 678. To authorize the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City, to authorize and permit, on behalf of the City of Anniston, Alabama, South Central Bell Telephone Company, its successors and assigns, to construct and maintain a building, or a portion thereof, over and above the alley running north and south in Block 4 as shown on the Anniston City Land Company Map of Anniston, and to construct and maintain a passage-way under said alley, said construction to connect the building now occupied by said Telephone Company on the west side of said alley, or as it may be repaired or altered, with a building to be constructed by it on the east side of said alley; to set forth certain conditions concerning the width of said building, or portion thereof, constructed over and above said alley, the width of said passage-way under said alley, and the height from the top surface of said alley that the bottom of said building, or portion thereof, constructed over and above said alley shall be, in the event such authority and permission is granted by the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City; to provide that the City of Anniston, Alabama, shall not be liable or responsible in damages for any injuries to persons, including death, or for any damages to property, arising out of or connected with the construction or maintenance of said building, or portion thereof, or said passage-way; to provide that in the event such authority and permission is granted, all parts of said alley included with the dimensions of said building, or portion thereof, constructed over and above said alley, and all parts of said alley included within the dimensions of said passage-way constructed under

said alley shall be expressly vacated, and all rights of the public, including property owners in said Block 4, in said vacated portion of said alley, shall be expressly divested, and that the City of Anniston shall not be liable in damages in any manner by reason of said vacation; and to provide certain other conditions and provisions relative to said Act.

By Mr. Harris (with notice and proof):

S. 659. To authorize the county boards of education of Limestone and Morgan Counties and the city boards of education of any cities in such counties having independent school systems to fix and collect tuition fees and charges from pupils attending schools under the respective jurisdictions of such boards, but who live outside the territory over which such boards of education have jurisdiction.

By Mr. Harris (with notice and proof):

S. 658. To provide for and regulate participation of employees of Morgan County and of employees of cities in such county in certain retirement funds for county and city employees, when the compensation of such employees is paid in part by the county or in part by the city and in part from public funds from other sources; to authorize the county and cities therein to contribute to such retirement funds on the basis of such employee's total compensation from all sources; and to authorize provision for such participation to be retroactive.

By Mr. Harris (with notice and proof):

S. 657. Relating to Morgan County; to authorize and regulate the issuance in such county of motor vehicle license tags by mail.

By Mr. Folsom (with notice and proof):

S. 698. To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payments, distribution and use of the proceeds so as to provide further for the use of the proceeds of such taxes.

By Mr. Folsom (with notice and proof):

S. 699. To amend Section 7 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

By Mr. Folsom (with notice and proof):

S. 700. To alter, or rearrange the boundary lines of the Town of Holly Pond, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment and it was read a second time and placed on the calendar, to-wit:

By Messrs. Young and Smith (with amendment):

H. 706. To regulate the sale and distribution of commercial fertilizers, fertilizer materials and other substances; requiring a license and permit for the sale thereof, prescribing the fee therefor, requiring labeling information;

to levy an inspection fee upon the sale and distribution of fertilizers; prescribing the powers, duties and authority of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries for the administration and enforcement of this Act; providing for the assessment and payment of penalties for fertilizers deficient in claimed plant food value; authorizing the State Board of Agriculture and Industries to fix minimum plant food content, grades and ratios for fertilizers and to adopt rules and regulations for the administration and enforcement of this Act; other administrative and enforcement provisions including a penalty for violations of this Act; to repeal Article 16 of Chapter 1 of Title 2, Code of Alabama 1940, as amended; also, to repeal Act No. 365, Legislature of 1947, approved August 16, 1947.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Branyon, Givhan, Giles and Torbert:

S. 597. To further amend Chapter 7 of Title 2 of the Code of Alabama of 1940 by amending Sections 672, 674, 675, 676 and 677 relating to requirements for persons performing professional work or services pertaining to entomological, pathological, horticultural, floricultural, and tree surgery work; to define such work; to prescribe special requirements for structural pest control work including the annual permit, bond, insurance, training, experience and other requirements; prescribing the powers and duties of the Commissioner of Agriculture and Industries for administration and enforcement of said Chapter 7; and prescribing penalties for violations.

By Mr. Harris:

S. 545. To amend the "Alabama Water Management Act", Act No. 685, S. 364, of the Regular Session of 1965, (Acts of Alabama of 1965, Regular Sess., Vol. II, p. 1246), "An Act to provide for the establishment of works of improvement for the drainage of wet, swamp, and overflowed lands of the State, and for flood prevention or the conservation, development, utilization and disposal of water within the State"; etc., by amending Sections 5, 9 and 10 of said Act which relate to the organization of water management districts.

By Mr. Turner:

S. 347. To amend Section 2, of Act 822, Acts of 1951, Regular Session, page 1454, approved September 11, 1951, all of which section relates to the liability of the owner of livestock taken up while running at large upon State and Federal Aid highways which have been officially designated as such regularly and customarily patrolled by the State Highway Patrol, or upon the right of ways of such highways.

By Mr. Harris:

S. 389. To amend Act No. 517, S. 96, Legislature of 1957, approved September 13, 1957 (Acts of Alabama 1957, Vol. II, p. 705), an Act providing for the creation of watershed conservancy districts for developing and executing plans and programs for the conservation of water, water uses, flood prevention and control, prevention and control of erosion, flood water and sediment damages by amending Sections 1 and 9 of said Act.

By Mr. Harris:

S. 388. Relating to eminent domain proceedings; amending Code of Alabama 1940, Title 19, Section 14 in relation to proceedings instituted by watershed conservancy districts and water management districts.

By Messrs. Harris and Torbert:

S. 621. Relating to plants and plant products: To further amend Article 28 of Title 2 of the Code of Alabama of 1940 relating to insect pests and diseases injurious to plants and plant products by amending Section 451 defining words and terms used in said Article; to amend Sections 452, as amended, 453, and 455, as amended, of said Article which said Sections relate to inspection certificate requirements and fees for nurseries and dealers in nursery stock, registration requirements and fees for agents of nurserymen; requirements for official tags for nursery stock; and to prescribe certain administrative and enforcement duties and authority of the Commissioner of Agriculture and Industries.

By Mr. Givhan:

S. 681. To provide for the regulation of the custom application of pesticides by aircraft and ground equipment by requiring persons engaging in such work to be licensed by the Commissioner of Agriculture and Industries and fixing the license fees; to prescribe the requirements for persons performing such work for compensation to be eligible for a license; to empower the Commissioner of Agriculture and Industries to administer and enforce the requirements of this Act and to prescribe his duties and authority in connection therewith; to require the filing of a surety bond or a liability insurance policy by persons performing such work together with other regulatory requirements; to provide for exemptions from the requirements of this Act; and to provide enforcement and penalty provisions for violations of this Act.

By Messrs. Torbert and Pierce:

S. 460. To amend Sections 499, 501 and 502 of Chapter 1 of Title 2 of the Code of Alabama of 1940; and repeal Sections 498 and 500 of Chapter 1 of Title 2 of the Code of Alabama of 1940, all of which relate to chemical laboratory analyses of substances, products and materials by the Department of Agriculture and Industries.

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cook (Jefferson) et al:

H. 78. To provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act.

Mr. Carr, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the follow-

ing bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lindsey:

S. 220. To amend further Act No. 533, S. 166, approved September 13, 1957, (Acts of Alabama, 1957 Regular Session, page 750), entitled, "An Act To create a Board to be known as the State Board of Registration for Foresters; to provide for the qualification of members of said Board; to provide for the appointment of the members of said Board; to provide for their terms of office; to provide for the organization of said Board; to provide for the powers and duties of said Board; to provide for the registration of Foresters; to provide for the recording of licenses; to provide for the definition of the practice of Forestry; to provide for the revocation of licenses; to provide for fees for the issuance and recording of such licenses; to provide for reciprocity; to create a special fund to be known as the 'Professional Foresters Fund', and to regulate expenditures therefrom; to repeal all laws in conflict with this Act; and to make an appropriation," as amended by Act No. 141, S. 108, approved September 15, 1961, (Acts of Alabama, 1961 Special Session, page 2082).

By Mr. Smith et al:

H. 332. To empower the Director of Conservation with authority to prohibit the importation into this State of any bird, animal, reptile, amphibian, or fish when such importations are not in the best interest of the State of Alabama; to provide regulatory authority to the Director of Conservation to implement the provisions of this Act.

By Messrs. Branyon, Lolley, Carr, Gilmore, Jackson, Givhan and Harris:

S. 327. To provide for the licensing and operation of privately owned hunting preserves; to provide the Director of Conservation with the authority to regulate the operation of such preserves; to provide for the cost of the privilege licenses for operating such preserves; to provide for the distribution of all monies accruing to the State under the provisions of this Act and to provide a penalty for the violation of the provisions of this Act.

By Mr. Albea:

S. 472. To amend Section 17 of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions, registration and identification of vessels used on the waters of this State by the Conversation Department of this State; the enforcement of this act, duties of the director of the State Department of Conservation; fee schedule for vessel registration, term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered, establishing exemptions from numbering provisions, requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conversation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the Department of Conserva-

tion for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

By Mr. Albea:

S. 473. To amend Section 3(1) of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, as amended by Act No. 878, Acts of Alabama 1961, page 1377, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act, duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to seel boat licenses; to repeal all laws in conflict with the provisions of this Act."

By Mr. Albea:

S. 474. To amend Section 6(1) of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, as amended by Act No. 878, Acts of Alabama 1961, page 1377, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act, duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

Mr. Morrow, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following

bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cherner et al:

H. 602. Relating to counties having a population of 600,000 or more according to the last or any succeeding federal census; and to provide for the allocation and distribution between and among said counties and the incorporated municipalities located therein of those portions of the net proceeds from the state gasoline excise tax that are allocated or apportioned to such counties and municipalities therein by Sections 3, 4 and 5 of Act No. 224 adopted at the special session of the Legislature of Alabama of 1967 (Acts of Alabama of 1967, page 295 et seq.); to repeal Act No. 404 adopted at the 1967 Regular Session of the Legislature of Alabama (Acts of Alabama of 1967, page 1017 et seq.) and all other laws or parts of laws in conflict herewith; and to fix the effective date of this act.

By Mr. Adwell et al:

H. 821. To authorize any city of this State having a population of 300,000 or more inhabitants, according to the last or any subsequent Federal census to pay hospital bills, doctors' bills, and other medical expenses incurred by any policeman, fireman or other employee of such city or agency thereof in securing treatment of injuries sustained by such policeman, fireman or other employee as a result of and while in the actual performance of his duties as an employee of such city or agency.

By Mr. Cook (Jefferson) et al (with notice and proof):

H. 941. For the relief of Bertha Mae Rhodes, individually and as Guardian for Douglas Clell Rhodes and Cathy Ann Rhodes, the widow and minor children of Clell Rhodes, an employee of Jefferson County, who died on September 22, 1965, as the proximate result of injuries sustained while engaged within the scope of his duties as an employee of Jefferson County, and to provide for the payment of Three Thousand Dollars ($3,000.00) for such relief out of such moneys and funds as may be constitutionally available.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and read a second time and placed on the calendar, to-wit:

By Mr. Cook (Jefferson) (with substitute):

H. 675. To provide in every County having a population of 500,000 or more according to the last or any subsequent Federal census for the creation of a public corporation which shall be vested with the powers provided for in the act, for the purpose of attracting conventions and tourists to the county; to define the powers of such corporation; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the act.

By Mr. Cook (Jefferson) (with notice and proof) (with substitute):

H. 942. To levy in Jefferson County a privilege or license tax on persons, corporations, partnerships, firms, associations and other entities engaged in the business of renting or furnishing rooms, lodgings or accommodations, in any hotel, motel, inn, tourist court, or any other place in which rooms, lodgings or accommodations are rented or furnished for a consideration, and

also a privilege or license tax on persons engaged in the business of renting or furnishing space for the accommodation of trailers; to provide the amount or rate of the aforesaid taxes; to provide for certain exemptions from the taxes so levied; to provide for the method of collecting and enforcing the said taxes; to provide that the Director of Revenue of the County shall collect the taxes levied by this act; to provide that the said Director of Revenue shall pay one percent (1%) of the total amount of the said taxes collected by him to the treasury of the county, as compensation to the County for expenses incurred by the County in the collection of said taxes and in the administration and enforcement of this act; to provide that the said director of Revenue shall pay all of the proceeds of the taxes, except the one percent (1%) deducted as aforesaid, to the convention and tourism authority of the County created by that certain act adopted during the Regular Session of the Legislature of Alabama of 1969, which provides for a convention and tourism authority in counties of the state having a population of 500,000 or more according to the last or any subsequent Federal census; to repeal all ordinances of any municipalities within the County imposing, or levying, any license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the charges made for rooms, lodgings or accommodations; to provide that the aforesaid repeal of municipal ordinances shall not impair the power of the governing body of any municipality to re-enact any ordinance hereby repealed, or to enact any new or different ordinance imposing, or levying, a license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the total charges made for rooms, lodgings or accommodations; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the Act.

RESOLUTION

Messrs. Skidmore, Goodwyn, McCarley, Albea, Nabors, O'Bannon, Gilmore, Harris, Carr, Branyon, Cooper, Lolley, Pelham, Turner, Morrow, Bailes, Clark, Folsom, Giles and Torbert offered the following Senate Joint Resolution, to-wit:

S. J. R. 52. Authorizing The Board of Trustees of the University of Alabama to designate the new administration building on the Tuscaloosa campus of the University of Alabama as "Frank Anthony Rose Hall" and the new thirteen-story married student apartment building also under construction of the Tuscaloosa campus of the University of Alabama as "Tommye Stewart Rose Tower."

WHEREAS, Dr. and Mrs. Frank A. Rose will leave the University of Alabama on September 5, after a twelve-year tenure of devoted service to this great institution; and

WHEREAS, the administration of Frank A. Rose as President of the University has provided the University with its period of greatest growth and for which the citizens of Alabama will forever be indebted; and

WHEREAS, Tommye Stewart Rose has served as the University's First Lady during this period, gracing the President's Mansion with charm and dignity, and substantially contributing to the success of the Rose administration.

NOW, THEREFORE, BE IT RESOLVED by the Senate of Alabama, the House of Representatives concurring, that The Board of Trustees of the University of Alabama is hereby authorized to designate the new administration building on the Tuscaloosa campus of the University of

Alabama as "Frank Anthony Rose Hall" and the new thirteen-story married student apartment building also under construction on the Tuscaloosa campus of the University of Alabama as "Tommye Stewart Rose Tower" in honor of Dr. and Mrs. Rose.

On motion of Mr. Skidmore, the Rules were suspended and the Resolution was adopted by the Senate.

MOTION IN WRITING

Mr. Clark offered the following Motion in Writing, to-wit:

"Motion in Writing"

"I move that S. R. 50 be carried over until the 24th Legislative Day as special and paramount order of business, taking precedence over any other business."

Which was adopted.

RECESS

At 11:04 A.M., on motion of Mr. Clark, the Senate took a recess until 1 o'clock this afternoon, in order to view the splashdown of the Apollo XI flight on television.

The recess period having expired, the Senate was called to order by President Pro Tempore Goodwyn. A quorum of the Senate was present.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

JOHN W. PEMBERTON,
Clerk.

By Messrs. Bowers, Holman, Waggoner, Weeks, Crane, Ellis, Dill, Gafford, Money, Jackson (T) and Cook (Jefferson):

H. J. R. 51. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the state institution in Birmingham, now designated as Wenonah State Junior College, shall be hereafter designated and known as the Theodore Alfred Lawson Junior College.

RESOLVED FURTHER, That this resolution shall take effect upon its approval by the Governor or as otherwise provided in Article 5, Section 125 of the Constitution.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Morrow, the Rules were suspended and the Resolution, HJR 51, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning Senate Bill No. 239 wiith a suggested Executive Amendment.

Respectfully submitted,

ROBERT M. CLECKLER,
Executive Secretary.

July 24, 1969

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you herewith, the Body in which it originated, Senate Bill No. 239 without my approval and respectfully suggest that said Senate Bill be amended as follows:

Immediately after Section 11 of said bill add Section 11(a) to read as follows:

"Section 11(a). The provisions of this act shall not apply to the sale of diseased, storm or fire damaged timber, nor shall it apply to timber cut on rights-of-way or easements. Such timber may be sold in such manner as the Director of Conservation deems in the best interest of the State provided, however, no sale of diseased timber shall be made until the State Forester shall certify that such timber is diseased and such certification shall be in written form and filed with the Director of Finance."

The adoption of the suggested amendment will remove my objection to the bill.

Respectfully,

ALBERT P. BREWER,
Governor.

July 24, 1969

GOVERNOR'S MESSAGE

On motion of Mr. Pierce, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 239. To regulate the execution of certain public contracts for the sale of state-owned tangible personal property or standing timber by competitive bid; to provide for disposition of proceeds from such sales; and prescribe penalties.

Which said amendment is set out in the foregoing Message from His Excellency, the Governor.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	Pelham	
Albea	Engel	Hawkins	Pierce	
Bailes	Folsom	Jackson	Skidmore	
Branyon	Giles	McCarley	Torbert	
Childs	Gilmore	McDermott	Turner	
Clark	Givhan	Nabors	Vacca	
Cooper	Goodwyn	Oden		—26

Nays: —0

Which was a majority of the whole number elected to the Senate.

And said Bill, S. B. 239, as amended by the Executive Amendment, was again read at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dominick	Goodwyn	Pelham	
Albea	Engel	Harris	Pierce	
Bailes	Folsom	Hawkins	Skidmore	
Branyon	Giles	McCarley	Torbert	
Childs	Gilmore	McDermott	Turner	
Clark	Givhan	Morrow	Vacca	
Cooper				—24

Nays: —0

Which was a majority of the whole number elected to the Senate.

RESOLUTION

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 53. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING That when the two Houses adjourn today they adjourn to meet again on Monday, July 28, 1969.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Pennington, Grainger, Jones, Laxson, McLain and Ellis:

H. J. R. 92. WHEREAS, all Alabamians join people throughout the world in pride and gratitude upon the successful journey to the moon and back of American astronauts; and

WHEREAS, a distinguished Alabamian, Dr. Wernher Von Braun, has led the development of rocketry from its infancy to the Cosmic Age and has achieved international renown as the world's greatest rocket development leader since he and his team of rocket experts moved to Huntsville in the early 1950's. Dr. Von Braun demonstrated his ability in the field of rocketry as a teenager in his native Germany

and since coming to America in 1945 has become a valued citizen of the United States. His technical knowledge and administrative ability are primarily responsible for the unparalleled success of the Apollo program. Under his direction, the Marshall Space Flight Center at Huntsville has developed the huge Saturn launch vehicles which have made it possible for man to free himself from his own gravitation and to realize the dreams of man from throughout the ages by going to the moon. No American has made a greater contribution toward this country's realization of its eight-year national commitment to become first in space than has Dr. Von Braun. His magnetic personality and his phenomenal direction of the world's leading space scientists in accomplishing this greatest scientific achievement of all time have earned for him the well-deserved admiration and acclaim of all citizens; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body would be indeed honored to have Dr. Von Braun address the House and Senate in joint assembly.

RESOLVED FURTHER, that Dr. Von Braun be invited to address the Legislature on Tuesday, July 29, 1969, at 2:15 p.m. in the House Chamber, and that his long time good friend, the Honorable Albert P. Brewer, Governor of Alabama, be invited to introduce him.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Giles, the Rules were suspended and the Resolution, HJR 92, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Grainger, Pennington, McLain, Jones and Laxson:

H. J. R. 93. WHEREAS, Major General Charles W. Eifler, Commanding General of the Army Missile Command at Redstone Arsenal, has been reassigned to Europe as Deputy Commander of the U.S. Army Europe and the Seventh Army, and has been recommended by President Nixon for promotion to Lieutenant General, which promotion and transfer has been sent to the U.S. Senate for conformation, and

WHEREAS, General Eifler, who has served Redstone Arsenal on two occasions in an outstanding and honorable manner, is only the second officer selected to move up to a three-star post from Redstone Arsenal, and the first to go to a major army combat command, and

WHEREAS, In his recent assignment as Commanding General for the last two years, General Eifler has directed intensive efforts to increase the operational readiness of Army missile units throughout the world, and

WHEREAS, His assignment in 1967 to command AMC, a major commodity command of the U.S. Army Materiel Command brought him back to Redstone Arsenal for a third tour of duty. He had pre-

viously been Commandant of the U.S. Army Ordinance Guided Missile Site from 1959 to 1961. He returned to Redstone in April 1963, after commanding Frankford Arsenal and served at the Missile Command as Deputy Commanding General, Land Combat Systems until leaving for Viet Nam in December 1965, and

WHEREAS, During his service in Huntsville he has also earned the respect and admiration of his community and state for his splendid leadership in the field of public service, and particularly in encouraging and assisting in the advancement of higher education at the University of Alabama in Huntsville, and

WHEREAS, By separate resolution, this body, has invited Dr. Wernher Von Braun to address a joint session of the Legislature on July 29, 1969, at 2:15 p.m.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring That we heartily commend General Eifler for his promotion and in recognition of his contributions to the State of Alabama, do hereby invite him to be a special guest of the Legislature for the joint session at 2:15 p.m. on July 29, 1969.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Giles, the Rules were suspended and the Resolution, H. J. R. 93, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTION

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 54. RESOLVED BY THE SENATE That the following Bills shall be the paramount and continuing order of business for the Twenty-second Legislative Day only:

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SB 509	17 Supplement
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SB 157	14
SB 159	15

Mr. Turner offered the following amendment to the Resolution, S. R. 54, to-wit:

AMENDMENT TO S. R. 54

Amend Senate Resolution No. 54 by adding thereto above the letters and figures "SB 57 Page 41" the letters and figures "SB 111 Page 5".

On motion of Mr. Bailes, said amendment was laid on the table.

Yeas 21; Nays 4.

Yeas:

Messrs.:	Dominick	Jackson	Nabors
Bailes	Giles	Lindsey	Pelham
Branyon	Gilmore	McCarley	Pierce
Childs	Givhan	McDermott	Skidmore
Clark	Harris	Morrow	Vacca
Cooper	Hawkins		—21

Nays:

Messrs.:				
Albea	Folsom	Goodwyn	Turner	
				—4

Mr. Dominick offered the following amendment to the Resolution, S. R. 54, to-wit:

AMENDMENT TO S. R. 54

Amend SR 54 by adding thereto "S 269 on pp 16" immediately after "S 378 on page 35".

On motion of Mr. Skidmore, said amendment was laid on the table.

Yeas 16; Nays 9.

Yeas:

Messrs.:	Giles	Lindsey	Pelham	
Branyon	Goodwyn	McCarley	Pierce	
Clark	Harris	McDermott	Skidmore	
Cooper	Jackson	Nabors	Torbert	
Engel				—16

Nays:

Messrs.:	Childs	Hawkins	Turner	
Albea	Dominick	Morrow	Vacca	
Bailes	Folsom			—9

Mr. Turner offered the following amendment to the Resolution, S. R. 54, to-wit:

AMENDMENT TO SENATE RESOLUTION NO. 54

Amend Senate Resolution No. 54 by adding thereto above the letters and figures "SB 57 41" the letters and figures "SB 8 4".

On motion of Mr. Cooper, said amendment was laid on the table.

Yeas 22; Nays 2.

Yeas:

Messrs.:	Engel	Jackson	O'Bannon	
Albea	Giles	Lindsey	Pelham	
Bailes	Givhan	McCarley	Pierce	
Branyon	Goodwyn	McDermott	Skidmore	
Clark	Harris	Morrow	Torbert	
Cooper	Hawkins	Nabors		—22

Nays: Messrs. Childs, Turner —2

Mr. Turner offered the following amendment to the Resolution, S. R. 54, to-wit:

AMENDMENT TO SENATE RESOLUTION NO. 54

Amend SR No. 54 by adding thereto immediately above the words and figures "SB 57 - 41" the words and figures "SB 46 - 7".

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Mr. McElhaney:

H. 342. To provide for city elections on legality of sale and distribution of alcoholic beverages in dry counties; and to exempt certain counties, classified by population, from the operation of the Act.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 342. To the Committee on Public Buildings and Grounds.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Burgess:

H. J. R. 70. WHEREAS Pat W. Mysinger of Northport, Alabama, on June 29, 1969, while on duty with Company A, First Mechanized Battalion, 167th Infantry Regiment, Alabama National Guard, heroically went to the aid of a fellow guardsman who was burning as a result of a motor vehicle accident; extinguished the flames, and carried the victim to a safe place, and

WHEREAS Pat W. Mysinger suffered severe burns about the arms and hands as a result of this courageous act, and

WHEREAS Pat W. Mysinger received the Alabama Commendation Medal from the Honorable Albert P. Brewer, Governor of this state at the annual Governor's Day observance at Camp Shelby, Mississippi, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we gratefully extend our congratulations to Pat W. Mysinger for his dauntless and selfless actions in aid of his fellowman, and join with the Governor, the state, and the nation in commending him for his gallant behavior.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Mr. Mysinger, and to Major General Alfred C. Harrison, Adjutant General of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, H. J. R. 70, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Turnham, Tuck and Higginbotham:

H. J. R. 62. WHEREAS it has been learned with profound sorrow of the untimely death of Mrs. Douglas L. Folsom, state superintendent of education of the State of Arizona and nationally recognized educator; and

WHEREAS Mrs. Folsom, the former Sarah Blanton, native of Notasulga was graduated in 1936 from Judson College which institution awarded her an honorary doctoral degree in 1966. She received her master's degree from Auburn University and prior to leaving this state, taught in several Alabama cities; and

WHEREAS Mrs. Folsom was nationally renowned for her outstanding talents and administrative ability in the field of education. She had served six terms as county superintendent of education for Yavapair County, Arizona and was serving her second term as state superintendent of education at the time of her death; and

WHEREAS Mrs. Folsom is survived by her husband and two sons, Douglas L. Folsom III, a student at the University of Alabama Medical College, and James B. Folsom of Prescott, Arizona; her parents, Mr. and Mrs. E. E. Blanton of Opelika, Alabama; three sisters, Miss Bessie Lee Blanton of Atlanta, Georgia and Mrs. James C. Folsom and Mrs. Walter C. Folsom, both of Tuscaloosa, Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deeply regret the passing of Mrs. Folsom and extend our heartfelt sympathy to the surviving members of her family, to whom copies of this resolution shall be sent.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Torbert, the Rules were suspended and the Resolution, H. J. R. 62, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Marr:

H. J. R. 79. WHEREAS James B. Allen, recently elected to the United States Senate from Alabama, has shown himself in the first few months of office to be a diligent and exemplary member of that august body, closely scrutinizing its actions and making every effort to protect the interests of the people of Alabama and the United States; and

WHEREAS Senator Allen has never hesitated to speak out against the efforts of the federal bureaucracy to destroy and dismember the institutions of the states, and has exposed and chastised judges, cabinet officers and other officials for actions against those institutions, and for misbehavior in office; and

WHEREAS Senator Allen's courageous and skilful efforts in the Senate have caused the people of Alabama and the members of this body to be proud and happy that he was chosen to represent us in Washington; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby extend an invitation to Senator Allen to address a joint session of the Senate and House of Representatives of the State of Alabama on August 19, 1969, at 1:00 PM. Senator Allen's many friends and supporters in this body and the people of Alabama will extend a cordial welcome to the Senator and the members of his family and staff who can attend this session, and the people of Alabama will welcome his report on the national scene.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Senator Allen with an urgent plea that he accept our invitation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 79, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 30. Relative to heroic rescue by Hugh McClendon and Bob Weaver of a drowning and badly injured man near Kowaliga.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 40. Relative to limiting the tax exempt status of interest paid on bonds issued by state and local government.

Also:

S. J. R. 41. Relative to Patrolman Kenneth L. Spencer, Jr.

Also:

S. J. R. 43. Relative to death of Mr. Preston Payne of Tuscaloosa, Alabama.

Also:

S. J. R. 44. Relative to Alabamians' contributions to the Apollo program.

Also:

S. J. R. 46. Relative to death of Bishop Charles Colcott Jones Carpenter, Bishop of the Protestant Episcopal Church in the Diocese of Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Burgess:

H. J. R. 69. WHEREAS Richard A. Curley of Talladega, Alabama, while on duty as a Specialist 4th Class in the 30th Support and Transportation Battalion, Alabama National Guard, was tragically killed in a motor vehicle accident on the way to National Guard summer encampment at Camp Shelby, Mississippi, and

WHEREAS Richard A. Curley had selflessly devoted his time and energy in the military service of his country and state, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the needless and tragic death of this fine young man who symbolized the spirit of the citizen-soldier, and express our deepest sympathy to his family.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the family of Richard A. Curley.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McCarley, the Rules were suspended and the Resolution, H. J. R. 69, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Yeilding:

H. J. R. 66. WHEREAS, Dr. Charles David Hounshell, formerly Dean of Newcomb College of Tulane University, has been named President of Birmingham-Sounthern College effective July 1, 1969; and

WHEREAS, said Birmingham-Southern College, a Methodist Church related liberal arts college, is a strong and vital element of higher education in Alabama; and

WHEREAS, the appointment of Dr. Hounshell as President will bring further distinction to Birmingham-Southern College and enhance its role in our system of higher education; and

WHEREAS, the Legislature of Alabama desires to extend a warm welcome and good wishes to Dr. Hounshell and his family as they come to Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend to Dr. Charles David Hounshell and all members of his family a warm and sincere welcome to the State of Alabama and good wishes for his success as President of Birmingham-Southern College.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Dr. Charles David Hounshell as evidence of this action by the Legislature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dominick, the Rules were suspended and the Resolution, H. J. R. 66, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Cherner:

H. J. R. 68. WHEREAS John Noble Graham, father of our esteemed colleague Bryce U. Graham of Colbert County has recently passed away, and

WHEREAS Mr. Graham throughout his long and fruitful life made many friends throughout the state, and was well regarded and respected by all who knew him, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of John N. Graham, and extend our deepest sympathy to his family.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Mr. Bryce U. Graham.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. O'Bannon, the Rules were suspended and the Resolution, H. J. R. 68, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Brown, Culver, Bank, Robertson and Weeks:

H. J. R. 63. WHEREAS millions of Americans have died, and millions of others have been wounded and injured in the defense of freedom during the 193 year history of this nation and there are now more than three and one-half million widows and orphans of deceased veterans in the United States, and the number is increasing daily, and

WHEREAS there are now more than two and one-half million living disabled veterans who have suffered wounds and injuries during wartime service to their country, and the number is increasing daily, and

WHEREAS the organization of Disabled American Veterans which is chartered by the United States Congress is dedicated to the service of veterans and widows and orphans of those who have paid the ultimate price for freedom, and

WHEREAS said organization observes the week beginning May 24 as a time to reflect, to pray, and to pay respects to those who have given their lives in this nation's defense, and

WHEREAS the passing of time dims the memories of the great suffering and sacrifices endured by those who were wounded or died in the service of their nation in time of peril, and many Alabamians have served and died in our nation's wars, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we recognize the aforementioned sacrifices and services by setting aside the week of May 24 through 30 of each year as NATIONAL MEMORIAL WEEK and urge the Governor to proclaim its observance in Alabama from this time forth.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Branyon, the Rules were suspended and the Resolution, H. J. R. 63, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Manley, Brassell, Bowers, Headley, Turnham, Higginbotham and Tuck:

H. J. R. 67. WHEREAS Four Star Marine General Holland M. Smith was a native of Alabama, born in Hatchechubbee, Russell County, Alabama, in 1882; and,

WHEREAS General Smith graduated from Auburn University in 1901 and the University of Alabama School of Law in 1903; and,

WHEREAS he joined the United States Marine Corps and served with distinction for forty-one years in that world renowned military organization in which he established himself as the Father of Modern Amphibious Warfare during World War II in which he planned and led the offensive assaults at Tarawa, Saipan, Iwo Jima and numerous other Pacific Islands; and,

WHEREAS General Smith passed away in February, 1967, at the age of 84, and by his will established scholarship funds at both Auburn University and the University of Alabama so that he might make a higher education available for the many deserving young men and women of our State and thereby play a significant part in their future; and,

WHEREAS the Marine Corps Reserve Officers of the State of Alabama are presently engaged in a program to preserve and perpetuate the memory of General Holland M. Smith through a non-profit educational corporation, whose goal it is to augment the aforesaid scholarships established by General Smith; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do hereby endorse, support and enthusiastically solicit the efforts of all Alabamians and all Marines everywhere to support this worthy endeavor to perpetuate the memory of this native Alabamian, one of the most illustrious leaders ever to serve in the United States Marine Corps.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the Commandant of the Marine Corps, to the President of Auburn University, to the President of the University of Alabama, and to the Chairman of the Holland M. Smith Memorial.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Torbert, the Rules were suspended and the Resolution, HJR 67, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Jackson (F) and Foshee:

H. J. R. 74. WHEREAS the Geneva County High School Band under the able leadership of band director, Norman R. Dasinger, was selected as one of the bands to participate in the New Orleans Mardi Gras parade in February 1968; and

WHEREAS this band was the only band chosen from the State of Alabama to participate in the night parade highlighting the Mardi Gras festivities, which was indeed a signal honor; and

WHEREAS no band, despite its talents, reaches this level of excellence without many hours of tedious practice and considerable sacrifice of time and effort on the part of its individual members; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREFORE CONCURRING, That we heartily commend the Geneva County High School Band and its Director, Mr. Dasinger, for the band's splendid performance in the New Orleans Mardi Gras parade. We assure each member that his conduct and performance reflects much credit on the State of Alabama as well as upon himself.

RESOLVED FURTHER that a copy of this resolution be sent to the Geneva County High School Band and to Mr. Dasinger.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Messrs. Cooper and Torbert, the Rules were suspended and the Resolution, HJR 74, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Edington:

H. J. R. 91. WHEREAS, Honorable Joe Alex Killian, the former Director of the International Trade Center at the Port of Mobile, departed this life on July the 18th, 1969 in his 46th year; and

WHEREAS, Mr. Killian was a native of Salem, Alabama, a graduate of Auburn University and the Foreign Trade Institute, Phoenix, Arizona, and, for 12 years served with distinction as Director of Public Relations at the Alabama State Docks; and

WHEREAS, During his service in that position, he successfully developed the idea for and supervised the completion of the International Trade Center and served as its first director, after which he became Director of Communications for the Port of Baltimore, Maryland, in which position he was serving at the time of his death; and

WHEREAS, Mr. Killian's service in the area of International Trade has been most outstanding, in that, among other things, he organized Alabama's first Overseas Trade Mission, which venture was so successful that it has been repeated each year; and

WHEREAS, During his residence in Mobile, Mr. Killian served with distinction as Consul of the Republic of Colombia, and as Secretary of the Consular Corps during which time he was instrumental in enlarging Consular representation in Mobile and was personally conducting classes in foreign languages and foreign affairs in Mobile; and

WHEREAS, Joe Killian dedicated his life to the development of this country's foreign trade and to the promotion of good will among men of all nations; and

WHEREAS, He is now and will always be sorely missed by his innumerable friends throughout the world:

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the untimely death of Honorable Joe Alex Killian is recorded with deepest regret; that this legislature hereby expresses, on behalf of the people of Alabama, its sympathy and condolences to Mr. Killian's family and that a duly executed copy of this resolution be forwarded to them.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McDermott, the Rules were suspended and the Resolution, HJR 91, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 703. Relating to cities having populations of not less than 20,500 nor more than 28,000; providing an expense allowance for members of the governing body of such cities.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 700. Relating to counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; to provide further for expense allowances to the members and clerk of the county governing bodies in such counties.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Turnham:

H. J. R. 95. WHEREAS Robert R. (Bob) Chesnutt, widely read farm writer and author of agricultural bulletins with the Auburn Ex-

tension Service, died recently while addressing an audience on the Auburn campus; and

WHEREAS Mr. Chesnutt, through his informational programs projected by his newspaper column, and his radio and television broadcasts, made an inestimable contribution to the development of agriculture in Alabama during the past 20 years; and

WHEREAS Mr. Chesnutt, a native of Montevallo and a graduate of Auburn, after a long and productive career in the field of agricultural information, was named chairman of the Extension Information Division at Auburn in 1965, and held this most responsible post until his tragic death; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of Robert R. (Bob) Chesnutt, and express our sympathy to his widow and two sons; and

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to each of the sons and the widow of Robert R. Chesnutt.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Torbert, the Rules were suspended and the Resolution, HJR 95, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Turnham:

H. J. R. 96. WHEREAS Mrs. Sara F. Blackerby, who is one of this State's most valued employees, plans to retire on September 30, 1969, after more than twenty-eight years of state service; and

WHEREAS Mrs. Blackerby was first employed by the State Department of Industrial Relations on August 20, 1941 and was transferred to the office of the Secretary of State on October 8, 1951 where she has served continuously and most effectively during five terms of Secretaries of State; and

WHEREAS Mrs. Blackerby's comprehensive knowledge of the work in that office to the most minute detail has been invaluable to each Secretary of State under whom she has served. Her services to the various county and state officers and employees who so frequently call upon her are always rendered with crisp efficiency and unlimited cheerfulness. Her dedication to her duties and her grasp of the workings of that office have smoothed the transition from one administration to each succeeding administration; and

WHEREAS despite Mrs. Blackerby's outstanding dedication, efficiency and good spirits, these fine attributes do not surpass her good looks, which are indeed notable; now therefore

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we shall not only greatly miss the excellent services of Mrs. Blackerby but we shall also miss her exuberant and gracious presence in the Capitol. We extend to her all best wishes for many, many happy years of retirement which she so richly deserves.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Torbert, the Rules were suspended and the Resolution, HJR 96, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Bank:

H. J. R. 97. Authorizing The Board of Trustees of the University of Alabama to designate the new administration building on the Tuscaloosa campus of the University of Alabama as "Frank Anthony Rose Hall" and the new thirteen-story married student apartment building also under construction on the Tuscaloosa campus of the University of Alabama as "Tommye Stewart Rose Tower."

WHEREAS, Dr. and Mrs. Frank A. Rose will leave the University of Alabama on September 5, after a twelve-year tenure of devoted service to this great institution; and

WHEREAS, the administration of Frank A. Rose as President of the University has provided the University with its period of greatest growth and for which the citizens of Alabama will forever be indebted; and

WHEREAS, Tommye Stewart Rose has served as the University's First Lady during this period, gracing the President's Mansion with charm and dignity, and substantially contributing to the success of the Rose administration.

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of Alabama, the Senate concurring, that The Board of Trustees of the University of Alabama is hereby authorized to designate the new administration building on the Tuscaloosa campus of the University of Alabama as "Frank Anthony Rose Hall" and the new thirteen-story married student apartment building also under construction on the Tuscaloosa campus of the University of Alabama as "Tommye Stewart Rose Tower" in honor of Dr. and Mrs. Rose.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Torbert, the Rules were suspended and the Resolution, HJR 97, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

FURTHER CONSIDERATION OF S. R. 54

The Senate proceeded to further consideration of the Resolution:

S. R. 54. Setting Special Orders

The question was on the amendment offered by Mr. Turner.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. McElhaney:

H. J. R. 98. WHEREAS, Clinton B. (Kiki) Smith is representing Alabama at Boys' Nation, and

WHEREAS, Clinton Smith served as Lieutenant Governor of Boys' State, and

WHEREAS, this young man is a resident of Montgomery and attends Sidney Lanier High School, and

WHEREAS, Clinton B. Smith has been chosen by his party as their presidential nominee, and

WHEREAS, the members of the Legislature wish to congratulate this young man for the recognition given to him and to Alabama; now therefore.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend Clinton B. Smith for his leadership and on being such a shining example of Alabama's youth.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pierce, the Rules were suspended and the Resolution, HJR 98, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTIONS

Mr. Branyon offered the following Senate Joint Resolution, to-wit:

S. J. R. 55. WHEREAS Judge J. M. Moore by his assiduity exercised a considerable influence in securing the construction of Highway 159 from Fayette in Fayette County to the Pickens County line; and

WHEREAS Highway 159 is a vital cog in the state's highway system as well as a contributing factor to the beautification of our fair countryside; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE STATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That so much of Highway 159 as extends from Fayette in Fayette County to the Pickens County line be designated "The J. M. Moore Highway," with the appropriate road signs to be erected by the Highway Department.

BE IT FURTHER RESOLVED, That copies of this resolution shall be sent to the family of Judge J. M. Moore.

On motion of Mr. Branyon, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Dominick and Giles offered the following Senate Joint Resolution, to-wit:

S. J. R. 56. WHEREAS, the City of Huntsville, Alabama, is known and recognized as the "Space Capital of the World," because of the outstanding developments in space travel made there; and

WHEREAS, the City of Huntsville, Alabama, has not been the recipient of a commemorative postage stamp in recognition of its achievements.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we call on the United States Post Office Department to issue a 10¢ airmail commemorative postage stamp, commemorating the Apollo 11 moon landing flight, in the City of Huntsville, Alabama, at a time to be determined by said Post Office Department.

BE IT FURTHER RESOLVED That the appropriate authorities take note of the fact that the Saturn booster rocket which made all the Apollo flights possible is a Huntsville development, and that the scientists and workers of said city deserve recognition along with other space heroes; and

BE IT FURTHER RESOLVED That a copy of this resolution be sent to the President of the United States, the Vice President of the United States, the Postmaster General of the United States, the Director of the Division of Philately—U. S. Post Office Department, each member of our U. S. Senate and Congressional delegation, and the Huntsville Chamber of Commerce.

On motion of Mr. Dominick, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Marr, Headley, Culver, Bank, Haygood, Berryman (W), Wood and Grayson:

H. 109. To express the public policy of the State of Alabama relative to the payment of prevailing minimum wages in the particular area on all projects of the State or its agencies, to require that the prevailing wages be ascertained in advance of such projects and that all bidders therein be bound by these determinations and all contractors be required to comply therewith; to define what is included in the term "wages" and to set forth the method of making the said determinations; and to authorize local governing bodies to make similar requirements in their contracts for public works.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 109. To the Committee on Commerce and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 238. To amend Title 55, Section 84, Code of Alabama 1940.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 126. To levy a license fee on Certified Public Accountants engaged in the practice of Public Accounting in the State of Alabama and to provide for the disposition of funds.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Meade and Beck:

H. 860. Relating to all counties having populations of not less than 16,150 nor more than 17,250 according to the most recent federal decennial census; relieving the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties.

Also:

By Mr. Burgreen:

H. 1040. To provide additional allowances out of the county treasury for clerk hire for temporary or part time clerks or other assistants for certain county officers in all counties having populations of not less than 35,700 nor more than 36,600 according to the most recent federal decennial census.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 860 and 1040. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cook (Coffee), Shumate, Bank, Merrill, Robertson, Culver, Hobbie, Jackson (T), House, Harris, Haygood, Dill, Money, Slate, Brown, Perloff, Drake, Grayson, Brannan, Ellis, Lyons, McElhaney and Cameron:

H. 778. To propose an amendment to the Constitution of Alabama to authorize the Legislature to provide a Pension Fund for the Fire Fighters in Alabama and to levy a tax in support thereof.

Also:

By Messrs. Cook (Coffee), Shumate, Bank, Merrill, Robertson, Culver, Hobbie, Jackson (T), House, Harris, Haygood, Dill, Money, Slate, Brown, Perloff, Drake, Grayson, Brannan, Ellis, Lyons, McElhaney and Cameron:

H. 779. To establish a pension fund for Alabama Fire Fighters to be known as the Alabama Fire Fighters Pension Fund; to prescribe conditions for joining, withdrawing from, and continuing membership in the fund; to regulate the payment of pensions and benefits from the fund; to provide for the management and administration of the fund by a board of trustees; to prescribe the membership of the board, to provide for the election and terms of office of members thereof, and prescribe their powers and duties; to establish the office of secretary-treasurer of such board, provide for his employment, his salary, and his bond; and for the purpose of financing the fund to levy and provide for the collection of an additional tax on insurers against fire, lightning, and related hazards, to fix membership dues, and authorize gifts, contributions and donations to the fund.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 778 and 779. To the Committee on Insurance.

(The above numbered Bill, H. B. 778, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Tuck:

H. 1023. Relating to counties having a population of not less than 21,850 nor more than 21,950; increasing the salary of the deputy solicitor in such counties.

Also:

By Mr. Hardin:

H. 1025. Relating to counties having populations of not less than 24,525 and not more than 24,675; relieving the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties.

Also:

By Messrs. Shumate and Dobbs:

H. 1026. Relating to counties having populations of not less than 51,000 nor more than 56,000; authorizing appropriations from the treasury of any such county for the relief of C. F. Pruitt and Quillian Benson.

Also:

By Messrs. Pruitt and Manley:

H. 1027. Relating to Perry County; relieving the board of registrars of the county from the duty of visiting precincts or voting places in the performance of their duties.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF PERRY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Perry County; relieving the board of registrars of the county from the duty of visiting precincts or voting places in the performance of their duties.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the board of registrars of Perry County are relieved of the duty of visiting the precincts and voting places in the performance of their official duties as provided in Code of Alabama 1940, Title 17, Section 26, as amended; and in lieu thereof shall

meet, for the purpose of registering voters, at the courthouse and in the other incorporated towns of the county for such number of the allotted days at each place as they deem reasonable.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Albert Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 19, June 26, July 3, and July 10, all in the year 1969.

ALBERT STEWART.

Sworn to and subscribed before me July 10, 1969.

ELIZABETH F. STEWART,
Notary Public. Perry County, Ala.

By Mr. Holladay:

H. 1028. Relating to St. Clair County; levying a privilege license or excess tax upon sellers, distributors, or users of malt or brewed beverages said privilege license or excise tax to vary in amount based upon the location within St. Clair County where said sale of malt or brewed beverages is consummated; providing for the administration of this act and the collection and use of the proceeds of the tax; prescribing penalties for violations.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to St. Clair County; levying a privilege license or excise tax upon sellers, distributors, or users of malt or brewed beverages; providing for the administration of the act and the collection and use of the proceeds of the tax; prescribing penalties for violations.

Be It Enacted by the Legislature of Alabama:

Section 1. A county privilege license or excise tax is hereby imposed upon every seller, distributor, storer or user of any malt or brewed beverages (including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percent or more of alcohol by volume) in St. Clair County. The tax shall be an amount equal to one cent on each four fluid ounces, or fractional part thereof, of malt or brewed beverages sold, used, consumed or distributed in the county. The tax shall be in addition to all other taxes heretofore or hereafter

levied on such beverages; provided, that where the amount of the tax imposed by this act shall have been paid to the county by any seller, distributor, dealer, or user, such payment shall be sufficient, the intent being that the tax levied by this act shall be paid but once.

Section 2. The privilege or license tax authorized herein shall be collected by or under the supervision and control of the county governing body who shall be solely responsible for the administration of this act. Said body shall provide rules and regulations and administration machinery for the enforcement and collection of the tax levied, and shall provide for devices for affixing stamped impressions on lids and crowns to be used in evidence of payment of the tax, and provide proper forms requiring sufficient information and proof, to be verified by the oath of any seller, distributor, dealer, or other user claiming exemption from payment of the tax on account of purchases made from others who have paid the tax imposed by this act. The county governing body shall be authorized to employ such personnel and inspectors to assist in the administration and enforcement of this act as may be deemed necessary. It shall be the duty of the Sheriff and other duly constituted officers of St. Clair County and municipalities therein to enforce the provisions of this Act, & nothing therein shall be interperted as relieving them of such duty.

Section 3. Each and every distributor or seller of malt or brewed beverages shall, on or before the 15th day of the first full calendar month after the effective date of this act, and on or before the 15th day of each calendar month thereafter, file with the county governing body a written statement sworn to and subscribed by each distributor or seller, showing the name and address of such distributor or seller, each and every purchase, receipt or procurement of malt or brewed beverages made by such distributor or seller during the calendar month next preceding, together with the name and address of the producer, distributor, seller or other person from whom purchased, received or procured, the brand or brands of such malt or brewed beverages, the quantity of each kind, the size and kind of containers of each brand of such malt or brewed beverages, the date or dates on which purchased, received or procured, and a detailed, itemized statement showing the name and address of each distributor or seller or other person to whom any malt or brewed beverages were sold, distributed or delivered by such distributor or seller, together with the quantity of each brand of malt or brewed beverages sold, distributed or delivered to each, the size and kind of containers for each brand of such malt or brewed beverages and the date or dates on which sold, distributed or delivered. A copy of such statement shall also be furnished to each municipality within the county.

(b) Any distributor or seller failing, refusing or omitting to file the statements herein prescribed shall be guilty of a misdemeanor, and each day such default continues shall constitute a separate offense.

Section 4. It shall be unlawful for any distributor or seller to make any sale, distribution or delivery of malt or brewed beverages within the county without first having obtained a permit to do so from the county governing body and also obtaining a business license from each municipality in which sale, distribution or delivery is to be made, provided, however, that nothing contained in this section, or in any other part of this act, shall authorize any sale, distribution or delivery of malt or brewed beverages within the county, if such sale, distribution or delivery is prohibited by any other law of this State.

Section 5. (a) It shall be the duty of any person subject to the license tax imposed by this act to keep full and complete records of all purchases, sales receipts, inventories and all other matters from which the correct amount of license tax to which such person is subject may

be ascertained; in the event that such person should discontinue his business, he shall not destroy or dispose of such records until he shall have given to the county governing body thirty days' notice in writing of his intent to destroy or dispose of such records. The county governing body or its duly authorized agent is authorized to inspect such records and to make copies of such parts of same as he may deem desirable or proper. The failure to keep such records, or destruction without giving the prescribed notice, shall constitute a misdemeanor, punishable in accordance with law.

(b) Upon demand by the county governing body or its authorized deputy or agent, auditor or representative, it shall be the duty of any person subject to the license tax imposed by this act, to furnish, without delay, all such information as may be required for determination of the correct amount of license tax to which such person is subject, and to that end it shall be the duty of such person to submit to such demanding person, for inspection and examination during reasonable business hours and at such person's place of business, all books of account, invoices, papers, reports, sales, receipts, inventories and any other information from which the correct amount of license tax to which such person is subject, may be determined, including herein the exhibition of bank deposit books and bank statements. Any person failing or refusing to submit such records for such inspection or examination upon lawful demand shall be guilty of a misdemeanor, punishable according to law.

(c) Should any person subject to the provisions of this act not keep and have in his possession or control correct and detailed books of account, invoices, papers, reports or memoranda correctly showing the date and information necessary for the determination of the correct amount of the license tax due, and the required information as to sales in the several tax areas; or, if, having the same in possession or under control such person shall fail or refuse to submit and exhibit same for inspection and examination as herein required, then and in that event it shall be the duty of the county governing body to ascertain from such information and data as it may reasonably obtain the correct amount of license tax due from such person and to assess the same against such person and give to such person notice of such assessment and demand of him immediate payment of the amount thereof. If such amount be not paid within ten days after receipt of notice and demand for payment, then such failure to pay shall constitute a misdameanor, and each day of delay in payment shall constitute a separate offense.

(d) The tax shall be paid by each distributor or seller when he makes his report as required in section 3 or when he buys his decals or other devices from the county governing body.

Section 6. (a) It shall be the duty of the county governing body to prepare such forms as may be necessary for use by sellers and distributors of malt or brewed beverages in complying with the provisions of this act, and to furnish the same to such distributors or sellers as they may be required.

(b) It shall be the duty of the county governing body to enforce the provisions of this act, and to that end its duly appointed agent is authorized to enter lawfully any premises of any retailer of malt or brewed beverages at any time during the hours in which such retailer is engaged in the business of selling or serving malt or brewed beverages, and to inspect the containers of malt or brewed beverages in the retailer's possession, for the purpose of determining whether or not there be any containers not having affixed the decal or other device contemplated by this act. It shall be lawful also for any police officer or a deputy sheriff to enter lawfully any such retail establishment for the

said purpose of inspection and determination of whether or not there be on hand any untaxed malt or brewed beverages.

Section 7. Unlawful Acts. Among others the following acts shall be unlawful and punished as misdemeanors:

(a) It shall be unlawful for any person required by this act to affix decals or other similar devices to containers containing malt or brewed beverages, to fail to affix such decals or other devices.

(b) It shall be unlawful for any person to sell, offer to sell or deliver within the county any malt or brewed beverages to which decals or other devices have not been affixed as provided by this act.

(c) It shall be unlawful for any person to have in his possession or under his control a container of malt or brewed beverages without the proper decal as required by this act.

(d) It shall be unlawful to manufacturer, buy, sell, offer for sale or possess or to attempt any reproduction or counterfeit decals or other devices provided for in this act or to possess tolls; implements, instruments or materials of any kind necessary or appropriate to reproduce or counterfeit such tools o devices o to alter or cause to be altered any decal or other devices provided for by this act.

(e) It shall be unlawful to remove from a container of malt or brewed beverages or other wise prepare any decals or other device with intent to use or cause the same to be used after it has already been used; to buy, sell or offer for sale or give away any washed, removed, altered or restored decales or other devices to any person or to have in possession any such washed or removed or restored or altered decals or other devices, or for the purpose of indicating the payment of any tax hereunder, to reuse any tax decal or other device which has heretofore been used evidencing the payment of any tax provided for in this act or except as to the governing body of St. Clair County to sell any decal or other device provided for in this act.

(f) It shall be unlawful to reuse or refill with malt or brewed beverages any container from which malt or brewed beverages theretofore tax paid have been removed.

Section 8. Any inspector employed under the provisions of this act or any sheriff or any deputy sheriff or any municipal police officer shall have authority to seize without warrant any and all containers of malt or brewed beverages not bearing a decal or other device as provided in Section 9 of this act. After such seizure of any undecaled or improperly decaled malt or brewed beverages, such undecaled or improperly decaled brewed beverages are hereby declared to be contraband goods, and upon such confiscation shall be delivered to the Chairman of the Court of County Commissioners for sale at public auction to the highest bidder after due advertisement; the proceeds of the sale of any such malt or brewed beverages sold hereunder after paying all costs shall be distributed as provided under Section 10 of this act. The Chairman of the Court of County Commissioners upon receiving said malt or brewed beverages shall proceed as follows: First, he shall cause a list containing a particular description of the malt or brewed beverages seized showing the quantity of each brand, the date or dates on which confiscated, and the person or persons from whom confiscated, to be prepared in duplicate. The said Chairman of the Court of County Commissioners shall proceed to post a notice for three weeks in writing at three places in the county that the seizure was made, describing the malt or brewed beverages seized and the quantity of each brand and stating the time and place and cause of their seizure, and requiring any person claiming such malt or brewed beverages to appear and

make such claim within twenty-one days from the date of the first posting of such notice. Second, any person claiming such malt or brewed beverages so seized as contraband within the time specified in the notice may file with the Chairman of the Court of County Commissioners a claim in writing stating his interest in the malt and brewed beverages seized and shall execute a bond to the Chairman of the Court of County Commissioners a claim equal to double the value of the malt and brewed beverages so seized, but in no case shall the said bond be less than the sum of $100.00 with sureties to be approved by the Chairman of the Court of County Commissioners and conditioned that in the case of condemnation of the malt and brewed beverages, the obligator shall pay to the Chairman of the Court of County Commissioners for the benefit of St. Clair County, Alabama the full value of the malt or brewed beverages so seized, and all costs or expenses of the proceedings to obtain such condemnation, including a reasonable attorney's fee. Upon the delivery of such bond to the Chairman of the Court of County Commissioners he shall transmit the same with the duplicate list or description of the malt and brewed beverages so seized to the county attorney or to the District Attorney of the county, and he said county attorney or District Attorney shall file a bill in the Circuit Court in Equity to secure the forfeiture of said malt or brewed beverages and containers in which seized. Upon filing the bond as aforesaid, the said malt or brewed beverages shall be delivered to the claimant pending the outcome of said case, provided, however, the proper license tax must be paid by the claimant before said malt or brewed beverages are delivered to him by the Chairman of the Court of County Commissioners. Third, if no claim is interposed or no bond given within the time above specified, such malt or brewed beverage shall be forfeited without further proceedings and the same shall be sold to the highest bidder. In addition to said bid, said purchaser shall pay the tax on said malt or brewed beverages as provided for by this act. The proceedings against such malt or brewed beverages pursuant to the provisions of this act shall be considered as proceedings in rem.

Section 9. Collection of the tax may be accomplished in this fashion:

The governing body may procure decals or other devices susceptible of being affixed, with measurable permanence, to containers of malt or brewed beverages to be taken from storage distributed or sold, each of which decals or other devices shall bear in legible characters a notation that it evidences the payment of the tax levied by this act, and may procure such forms and other printed matter and materials as may be necessary in the administration of this act. Decals or other devices may be furnished to each seller or distributor of malt or brewed beverages, upon his request therefor and payment of the amount of tax corresponding to the stated value of the decals or other devices that he procures, less an eight per cent (8%) discount; provided, however, that such decals or other devices shall be sold and furnished to wholesalers only. Each distributor or seller must affix to each container of malt or brewed beverages the appropriate decals or other devices before the same is taken from storage, sold or delivered.

Section 10. The proceeds of the tax imposed by this act shall be paid into the General Fund in the County Treasury and the proceeds of such tax shall be disbursed out of the County Treasury as follows:

There shall be paid to each municipality on or before the 25th day of each month an amount equal to 1/3 of 1c on each 4 fluid ounces or fractional part thereof of malt or brewed beverages sold, used, consumer, or distributed within the corporate limits of such municipality plus 1/6 of 1c of each 4 fluid ounces or fractional part thereof of malt or brewed beverages sold, used, consumed, or distributed within the

police jurisdiction of such city. After the payment to the municipalities as set out above, the county treasury shall on or before the 25th day of each month pay ½ of the remaining tax to the St. Clair County Board of Education. Prior to the issuance of payment to the municipalities and the St. Clair County Board of Education as set out above there shall be calculated the expense of collecting the tax provided for in this act and each municipality, the St. Clair County board of Education and St. Clair County shall bear its prorata share of such expenses upon the amount to be received by each from the proceeds of said tax. Said prorata share of the expense of collecting said tax shall be deducted prior to the disbursement of any monies to any municipality, St. Clair County Board of Education and St. Clair County.

Section 11. Any person, firm, or corporation who violates any provision of this act or the rules and regulations as may be provided by the county governing body shall be guilty of a misdemeanor and upon conviction shall be punished as prescribed by law. Each month such violation continues shall constitute a separate offense.

Section 12. Any person, firm, or corporation who fails to pay the tax herein levied within the time prescribed in the rules and regulations promulgated by the county governing body shall pay, in addition to the tax, a penalty of ten per cent of the amount of tax, together with interest thereon at the rate of one-half of one per cent per month or fraction thereof, from the date at which the tax herein levied becomes payable, such penalty and interest to be assessed and collected as a part of the tax.

Section 13. There are hereby repealed all existing ordinances of all municipalities within such county whereby and to the extent that the same levy license taxes upon or for the right or privilege of selling, delivering, distributing, handling or otherwise dealing in or with malt or brewed beverage, but nothing herein contained shall be construed to evidence an intent to abridge or impair the power of the governing body of any such municipality to re-enact any ordance hereby repealed or to enact any new or different ordinance whereby license taxes may be levied upon or for the right or privilege of selling, delivering, distributing, or otherwise dealing in or with such beverages, but every governing body shall retain such power to the full extent now or hereafter conferred upon it by any statute of Alabama, unimpaired by anything contained in this act.

Section 14. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 15. All laws or parts of laws which conflict with this act are repealed.

Section 16. This act shall become effective on the first day of the calendar month immediately following its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that

the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 12, June 19, June 26, and July 3, all in the year 1969.

E. R. BLAIR,
Publisher.

Sworn to and subscribed before me July 14, 1969.

SARA S. BELL,
Notary Public.

Also:

By Mr. Holladay:

H. 1029. Relating to counties having a population of not less than 24,800 nor more than 25,400 according to the most recent Federal Decennial Census; to authorize the county governing body of any such county to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law.

Also:

By Mr. Holladay:

H. 1030. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 24,800 nor more than 25,400, according to the most recent Federal Decennial Census.

Also:

By Messrs. Merrill, Lybrand and Burgess:

H. 1034. To authorize the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City, to authorize and permit, on behalf of the City of Anniston, Alabama, South Central Bell Telephone Company, its successors and assigns, to construct and maintain a building, or a portion thereof, over and above the alley running north and south in Block 4 as shown on the Anniston City Land Company Map of Anniston, and to construct and maintain a passage-way under said alley, said construction to connect the building now occupied by said Telephone Company on the west side of said alley, or as it may be repaired or altered, with a building to be constructed by it on the east side of said alley; to set forth certain conditions concerning the width of said building, or portion thereof, constructed over and above said alley, the width of said passage-way under said alley, and the height from the top surface of said alley that the bottom of said building, or portion thereof, constructed over and above said alley shall be, in the event such authority and permission is granted by the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City; to provide that the City of Anniston, Alabama, shall not be liable or responsible in damages for any injuries to persons, including death, or for any damages to property, arising out of or connected with the construction or maintenance of said building, or portion thereof, or said passage-way; to provide that in the event such authority and permission is granted, all parts of said alley included with the dimensions of said building, or portion thereof, constructed over and above said alley, and all parts of said alley included within the dimensions of said passage-way constructed under said alley shall be expressly vacated, and all rights of the public, including property

owners in said Block 4, in said vacated portion of said alley, shall be expressly divested, and that the City of Anniston shall not be liable in damages in any manner by reason of said vacation; and to provide certain other conditions and provisions relative to said Act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
CALHOUN COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage and enactment will be made, to-wit:

AN ACT

To authorize the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City, to authorize and permit, on behalf of the City of Anniston, Alabama, South Central Bell Telephone Company, its successors and assigns, to construct and maintain a building, or a portion thereof, over and above the alley running north and south in Block 4 as shown on the Anniston City Land Company Map of Anniston, and to construct and maintain a passage-way under said alley, said construction to connect the building now occupied by said Telephone Company on the west side of said alley, or as it may be repaired or altered, with a building to be constructed by it on the east side of said alley; to set forth certain conditions concerning the width of said building, or portion thereof, constructed over and above said alley, the width of said passage-way under said alley, and the height from the top surface of alley, that the bottom of said building, or portion thereof, constructed over and above said alley shall be, in the event such authority and permission is granted by the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City; to provide that the City of Anniston, Alabama, shall not be liable or responsible in damages for any injuries to persons, including death, or for any damages to property, arising out of or connected with the construction or maintenance of said building, or portion thereof, or said passage-way; to provide that in the event such authority and permission is granted, all parts of said alley included with the dimensions of said building, or portion thereof, constructed over and above said alley, and all parts of said alley included within the dimensions of said passageway constructed under said alley shall be expressly vacated, and all rights of the public, including property owners in said Block 4, in said vacated portion of said alley, shall be expressly divested, and that the City of Anniston shall not be liable in damages in any manner by reason of said vacation; and to provide certain other conditions and provisions relative to said Act.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City, shall be, and is hereby expressly given the right to authorize and permit, on behalf of the City of Anniston, Alabama, South Central Bell Telephone Company, its successors and assigns, to construct and maintain a building, or a portion thereof, over and above the alley running north and south in Block 4 as shown on the Anniston City Land Company Map of Anniston, and to construct and maintain a passage-way under said alley. Said construction shall connect the building now occupied by said Telephone Company on the West side of said alley, or as it may be repaired or altered, with a building to be constructed by it on the east side of said alley.

Section 2. That the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City, in granting authority and permission for said construction, shall be authorized to prescribe the width of said building, or portion thereof, constructed over and above said alley and the width of said passage-way under said alley, but said authorized width shall not exceed the width of the building now occupied by said Telephone Company on the west side of said alley.

Section 3. That the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City, in granting authority and permission for said construction, shall be authorized to prescribe the height from the top surface of said alley that the bottom of said building, on portion thereof, constructed over and above said alley shall be, but such height shall not be less than 14 feet.

Section 4. That the City of Anniston, Alabama, shall not be liable or responsible in damages for any injuries to persons, including death, or for any damages to property, arising out of or connected with the construction or maintenance of said building, on portion thereof, or said passage-way.

Section 5. That in the event such authority and permission is granted by the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City, all parts of said alley included within the dimensions of said building, or portion thereof, constructed over and above said alley, and all parts of said alley included within the dimensions of said passageway constructed under said alley, shall be, and are hereby, expressly vacated, and all rights of the public, including any property owners in said Block 4, in said vacated portion of said alley shall be, and are hereby, expressly divested. The City of Anniston shall not be liable in damages in any manner by reason of said vacation.

Section 6. That each section, clause and provision of this Act shall be separate and separable, and if any one or more of such sections, clauses or provisions should for any reason be declared unconstitutional, or invalid, it shall not affect the remaining portions of said Act, which shall remain and be of legal and binding effect.

Section 7. That this Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Phillip A. Sanguinetti, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the The Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, June 20, June 27, and July 4, all in the year 1969.

PHILLIP A. SANGUINETTI.

Sworn to and subscribed before me 14th of June, 1969.

LOLA J. BRIGHT,
Notary Public.

Also:

By Mr. Neville:

H. 1048. Relating to Barbour County; regulating the compensation of the jury commission, and the clerk thereof.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows Relating to Barbour County; regulating the compensation of the jury commission, and the clerk thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. In Barbour County, Alabama, each member of the jury commission and the clerk of such commission shall each be paid a sum to be fixed by the county governing body at not less than ten dollars per day for each day he is actually engaged in the discharge of his duties as such member of clerk, but the compensation of each member shall not exceed for any year of his term one thousand dollars, nor shall the compensation of the clerk in any one year exceed one thousand dollars.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
BARBOUR COUNTY

Before me, Elizabeth M. Upshaw, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of THE EUFAULA TRIBUNE, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice was published in said newspaper 4 times, the same appearing in the issues dated: 6/12, 19, 26, 7/1.

JOEL P. SMITH.

Sworn to and subscribed before me this the 15th day of July, 1969.

ELIZABETH M. UPSHAW,
Notary Public, Barbour Co., Ala.

Also:

By Mr. Neville:

H. 1049. To create a judiciary fund in the county treasury of Barbour County, to be used for the purpose of obtaining, maintaining and making available for public use certain judicial reference materials; to provide for certain payments into the fund and to provide for and regulate expenditures from the fund; placing certain duties on the Judge of the Third Judicial Circuit, the county treasurer of Barbour

County and the Barbour County Bar Association; and authorizing the county governing body of Barbour County to expend general funds of the county for the purpose of providing quarters and facilities for the proper care and storage and the convenient use of such judicial reference materials.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To create a judiciary fund in the county treasury of Barbour County, to be used for the purpose of obtaining, maintaining and making available for public use certain judicial reference materials; to provide for certain payments into the fund and to provide for and regulate expenditures from the fund; placing certain duties on the Judge of the Third Judicial Circuit, the county treasurer of Barbour County and the Barbour County Bar Association; and authorizing the county governing body of Barbour County to expend general funds of the county for the purpose of providing quarters and facilities for the proper care and storage and the convenient use of such judicial reference materials.

Be It Enacted by the Legislature of Alabama:

Section 1. There is created hereby, a fund in the county treasury of Barbour County to be known as the Barbour County Judiciary Fund.

Section 2. Payments from said judiciary fund shall be made upon warrant signed by the Circuit Judge of the Third Judicial Circuit.

Section 3. Moneys in the Barbour County Judiciary Fund are to be used for the purchase, care, custody, storage, maintenance, and copying of judicial reference materials, for copying equipment and for making such judicial reference materials readily available for use by the public.

Section 4. The Judiciary Fund shall consist of such funds as may be paid to it by law and such funds as may be donated to the county for said fund.

Section 5. Such judicial reference materials as may be purchased by the fund shall be the property of the county and shall be so marked.

Section 6. The President of the Barbour County Bar Association shall each year appoint a committee of three members to be known as the Judiciary Fund Committee, which shall have the responsibility of reporting to the Barbour County Bar Association and to the Circuit Judge of the Third Judicial Circuit the condition of the judicial reference materials on hand and the proposed needs.

Section 7. The county treasurer of Barbour County shall semi-annually make a report to those members of the Bar who have purchased licenses to practice law in Barbour County during the current fiscal year, showing the itemized receipts and expenditures of the Judiciary Fund for the preceding six-month period. Such reports shall be made in January and July each year.

Section 8. The Judge of the Third Judicial Circuit shall by orders spread upon the minutes of the court and distributed to each member of the Bar who has purchased a license to practice in Barbour County during the current year, promulgate rules and regulations concerning the place or places of custody of said judicial reference materials, time of access to such materials, and such other rules as may be necessary for the safe storage and use of such materials; provided, however, that the materials shall be open to the public and that the public shall have the same access to said materials as the said judge or any member of the Bar licensed to practice law.

Section 9. The Judge of the Third Judicial Circuit shall be empowered to accept donations of judicial reference materials on behalf of the county.

Section 10. The county governing body of Barbour County shall provide quarters and adequate facilities for the care and storage and convenient use of such Judicial Reference Materials in the Clayton or Western division of the County and another such place in the Eastern or Eufaula Division of the County; and the County Governing Body shall be authorized to expend such funds from the general funds of the county as may be necessary for such purpose.

Section 11. Barbour County's one-half of the trial tax levied by Code of Alabama 1940, Title 51, Section 20, shall be paid into the Barbour County Judiciary Fund. The other one-half of such tax shall continue to be paid into the State treasury as required in said Section 20.

Section 12. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 13. All laws or parts of laws which conflict with this Act are repealed.

Section 14. This Act shall become effective on the first day of the month following the month in which this Act becomes law.

STATE OF ALABAMA
BARBOUR COUNTY

Before me, Elizabeth M. Upshaw, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of THE EUFAULA TRIBUNE, a newspaper published semi-weekly, in the City of Eufaulá, Barbour County, Alabama, and that the foregoing attached notice was published in said newspaper 4 times, the same appearing in the issues dated: 6/17, 24, 7/1, 8.

JOEL P. SMITH.

Sworn to and subscribed before me this the 15th day of July, 1969.

ELIZABETH M. UPSHAW,
Notary Public, Barbour Co., Ala.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1023, 1025, 1026, 1027, 1028, 1029, 1030, 1034, 1048, and 1049. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Neville:

H. 1050. Relating to Barbour County; further regulating the schedule days of meeting of the board of equalization of Barbour County at the two courthouses of the county; providing taxpayers a right as to the place of holding certain hearings, and requiring notice thereof.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Barbour County; further regulating the schedule days of meeting of the board of equalization of Barbour County at the two courthouses of the county; providing taxpayers a right as to the place of holding certain hearings, and requiring notice thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Any taxpayer of Barbour County shall have the right to select the courthouse in Eufaula or the courthouse in Clayton as the place for having the hearing provided for in Code of Alabama 1940, Title 51, Section 107.

Section 2. The board of equalization must, in publishing the notice required by Code of Alabama 1940, Title 51, Section 106, and as a part of the written notice required to be mailed to any taxpayer under the provisions of Code of Alabama 1940, Title 51, Section 55, give each such taxpayer notice of such right and must provide him with a form for requesting a hearing, which form shall show the names of both hearing locations and shall provide the taxpayer with a method of indicating his choice.

Section 3. To provide for an equitable division of its meeting days and in order to meet the convenience of the taxpayers of the county, the board of equalization of the county shall schedule a sufficient proportion of its meetings at each courthouse so that each taxpayer who requests a hearing may have sufficient time for his hearing.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
BARBOUR COUNTY

Before me, Elizabeth M. Upshaw, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of THE EUFAULA TRIBUNE, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice was published in said newspaper 4 times, the same appearing in the issues dated: 6/17, 24, 7/1, 8.

JOEL P. SMITH.

Sworn to and subscribed before me this the 15th day of July, 1969.

ELIZABETH M. UPSHAW,
Notary Public, Barbour Co., Ala.

Also:

By Mr. Smith:

H. 1055. Relating to cities operating under the commission form of government for more than thirty years having a population of not less than 16,000 nor more than 26,000 according to the most recent Federal Decennial Census, fixing the election and terms of office, the salaries and duties of the members of the Board of Commissioners of such cities.

Also:

By Mr. Smith:

H. 1057. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of county offices in Talladega County.

Also:

By Mr. Smith:

H. 1058. To amend Section 6 of Act No. 78, H. 64, Special Session 1967 (Acts 1967, p. 109), an act to regulate further the procedure for the abandoning the Commission form of government and the reorganization of the city government thereafter in all cities of this state which have a population of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census, with respect to the salary of the Mayor and Aldermen elected under the above act and to further establish the office of Mayor as a full-time office.

Also:

By Messrs. Smith and Bolton:

H. 1059. To provide for and regulate the selection and empaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of the twenty-ninth judicial circuit.

Also:

By Messrs. Bolton and Smith:

H. 1060. Relating to counties having populations of not less than 65,000 nor more than 95,000; authorizing the county governing body of any such county and the governing body of any municipality within any such county to contribute public funds for a volunteer rescue squad.

Also:

By Mr. Young:

H. 1064. To amend Section 1 of Act No. 60, H. 395 of the current Regular Session 1969, an Act regulating the compensation of the county superintendent of education of counties having a population of 10,800 to 12,000, according to the latest federal census, so as to establish a minimum for such compensation.

Also:

By Messrs. Watkins, Cook (Jefferson), Dill, Kilgore, Money, Sessions, Yeilding, House, Ellis, Weeks, Meeks, Waggoner and Adwell:

H. 1037. To repeal Act No. 558, House 1070, Regular Session, 1931, (Acts 1931, p. 1653), as amended, which relates to the Jefferson County Board of Cosmetological Examiners.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 1050, 1055, 1057, 1058, 1059, 1060, and 1064. To the Committee on Local Legislation No. 1.

H. B. 1037. To the Committee on Local Legislation No. 2

(The above numbered Bill, H. B. 1057, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. House, Cook (Jefferson), Berryman (W), Merrill, Hill, Pruitt, Manley, Holladay, McCorquodale and Cook (Coffee):

H. 889. To make an annual appropriation, out of moneys derived from the excise tax known as the use tax and required to be paid into the Alabama Special Educational Trust Fund, for the education and training of exceptional children, including the administration, maintenance and operation of classrooms and classes and payment of teachers for such classes; and to repeal Section 3 of Act No. 105 adopted by the Second Special Session of 1963 of the Legislature and Section 3 of Act No. 67 adopted at the Regular Session of 1963 of the Legislature.

Also:

By Messrs. Cook (Jefferson), Merrill, House, Pruitt, Manley, Holladay, McCorquodale, Cook (Coffee), Grainger, McDonald, Crane, Sessions, Yeilding, Gloor, Cherner, Money, Dill, Bowers, Meeks, Waggoner, Weeks, Kilgore, Ellis, Pennington, Gafford, McElhaney, Hain, Blanton, Graham, Stubbs, Laxson, Slate, Wright, Bank and Watkins:

H. 861. To amend Act No. 126 adopted at the Second Special Session of 1959 of the Legislature of Alabama so as to amend Section 9 thereof specifying certain changes in the details pertaining to the bonds issued under the provisions of the said act.

Also:

By Messrs. Cook (Jefferson), Merrill, Pruitt, Manley, House, Berryman (W), Hill, Cook (Coffee), McCorquodale, Holladay, Grainger, McDonald, Crane, Sessions, Yeilding, Gloor, Cherner, Money, Dill, Bowers, Meeks, Waggoner, Weeks, Kilgore, Ellis, Pennington, Gafford, McElhaney, Hain, Blanton, Graham, Stubbs, Laxson, Slate, Wright, Bank and Watkins:

H. 862. To amend Act No. 243 adopted at the Special Session of 1965 of the Legislature of Alabama so as to amend Section 9 thereof specifying certain changes in the details pertaining to the bonds issued by Alabama Public School and College Authority under the provisions of the said act.

Also:

By Messrs. McCorquodale, Pennington, Agee, Cook (Coffee) and Bank:

H. 23. To authorize the establishment and incorporation of the State Toll Bridge Authority; to empower said authority to finance, purchase, construct, and operate toll bridges in Alabama; to authorize said authority to issue bonds of indebtedness, enter into contracts, and collect tolls; and to authorize said authority to acquire and dispose of properties, and to exercise powers, privileges, and rights necessary for the construction, operation, and maintenance of toll bridge projects in this State.

Also:

By Messrs. Smith, McElhaney, Jones and Snell:

H. 168. To propose and provide for the submission of an amendment to the Constitution of Alabama to amend Amendment CCLXIX to said constitution proposed by Act No. 274, H. 297, Regular Session 1967 authorizing counties and municipalities to levy and collect additional property taxes for public library purposes, so as to provide further for the rate of the tax and the manner in which elections under this amendment shall be called.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 889, 861, 862, 23 and 168. To the Committee on Finance and Taxation.

(The above numbered Bill, H. B. 168, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Snell:

H. 704. Relating to all counties having populations of not less than 37,000 nor more than 41,000; regulating the compensation of certain officers, providing compensation for clerks, deputies, assistants and secretaries, and providing for operation of their offices.

Also:

By Mr. Snell:

H. 705. Relating to all counties having populations of not less than 37,000 nor more than 41,000 according to the most recent federal decennial census, fixing the per diem pay for members of the board of equalization.

Also:

By Mr. Williams:

H. 788. Relating to all counties having populations of not less than 36,600 nor more than 37,600 according to the most recent federal decennial census; authorizing, but not requiring, the governing body of each of such counties to fix the amount and prescribe the manner of compensating the members of the jury commissions of the county.

Also:

By Mr. Williams:

H. 789. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds.

Also:

By Messrs. Doss and Slate:

H. 801. To apply only in counties having populations of not less than 57,000 nor more than 61,000, providing an expense allowance payable from the county treasury for the use of the coroner.

Also:

By Messrs. Lybrand, McLain, Smith, Bank, Watkins, Steagall, Turnham and Merrill:

H. 189. To abolish the office of Securities Commissioner of Alabama and create in lieu thereof the Alabama Securities Commission; to provide for the appointment, powers, duties, authority, term of office and compensation of members of the Alabama Securities Commission; to provide for the appointment of a director of the Securities Commission and to prescribe his qualifications, powers, duties, authority and compensation; to authorize and provide for the employment of a deputy director and other necessary person-

nel; and to transfer the authority, powers, duties, rights, privileges and immunities heretofore vested in the Securities Commissioner, along with the records, files, furniture and equipment appertaining to such office and any unexpected funds appropriated for the salary of such Commissioner and his assistants and the expenses of administering the Alabama securities law to the Alabama Securities Commission.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 704, 705, 788, 789 and 801. To the Committee on Local Legislation No. 1.

H. B. 189. To the Committee on Public Buildings and Grounds.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Cook (Coffee):

H. 227. Relating to banks and banking; requiring certain proof of responsibility to effect a change in control of any state bank or trust company; providing penalties for violations.

Also:

By Mr. Cook (Coffee):

H. 228. Relating to the state banking department; amending Section 9 of Act No. 204, H. 30, Regular Session 1955 (Acts 1955, p. 497), so as to provide further for the authority and duties of the deputy superintendent of banks.

Also:

By Messrs. Bassett, Mays, Graham, Gloor, Adwell, Brannan, Cook (Jefferson), Money, Crane, Berryman (R), Crawford, Lemley, Brown, McElhaney, Headley, Springer, Cook (Coffee), Jackson (F), Watkins, House, Dill, Lybrand, Shumate, Cameron, Foshee, Dobbs, Culver, Harper, Brassell, Nettles, Burgess, Meade, Hobbie, Kilgore, Holman, Sessions, Yeilding, Gafford, Slate, Jackson (T), Weeks, Williams, Agee, Stembridge, Owen (Baldwin), Owens (W), Hardin, Wood, Higginbotham and Harris:

H. 765. To provide for the repair/or lease of heavy duty off-highway construction equipment including machinery used for grading, drainage, road construction and compaction for exclusive use of county and municipal, highway, street and sanitation departments by the county boards of revenue or other similar county governing bodies, the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, relative to exemption from competitive bidding in the expenditure of public funds.

Also:

By Mr. Cook (Coffee):

H. 230. Relating to banks and banking; providing further for the qualifications of directors of certain banks; amending Code of Alabama 1940, Title 5, Section 185.

Also:

By Mr. Perloff:

H. 119. To amend Section 254 of Title 13 of the Code of Alabama of 1940 which relates to the appointment and compensation of Deputy Solicitors or Deputy District Attorneys of the Thirteenth Judicial Circuit.

Also:

By Messrs. Watkins, Gafford, Cook (Jefferson), Meeks, Waggoner, Kilgore, Ellis, House, Money, Jackson (T), Dill, Adwell and Bowers:

H. 1036. To provide that upon a municipality annexing any district created under Act No. 79 of the Special Session of the Legislature of 1966 to fight or prevent fires, or to fight or prevent fires and collect and dispose of garbage, persons employed by the district to fight fires shall become employees of such municipality subject to the conditions stated in this Act.

Also:

By Messrs. Watkins, Meeks, Cook (Jefferson), Dill, Kilgore, Money, Sessions, Yeilding, House, Ellis, Weeks, Waggoner and Adwell:

H. 1038. To amend Title and Section 19½ and to repeal Section 32 of Act No. 78, Special Session, 1961, (Acts of Alabama of 1961, p. 1955), as amended, which Act regulated the teaching and practice of cosmetology in any county having a population of less than 600,000 according to the last or any subsequent federal decennial census and creating a State Board of Cosmetology so as to regulate further such teaching and practices and the registration and license fees therefor so as to make such Act applicable to all counties of the State of Alabama.

Also:

By Messrs. Melton, Fite, Wood, Lemley, Garrett, Harris, McCorquodale, Owens (W), Foshee, Headley and Springer:

H. 994. To authorize county governing bodies of the several counties to appoint a county engineer; to provide for his compensation; to provide for the qualifications and duties; and to provide for State participation in the salary of the county engineer.

Also:

By Messrs. Merrill, Lybrand, Hain, Steagall, Blanton, Brassell and Manley:

H. 722. To amend Act No. 249, H. 492, of the Regular Session of 1967 (Acts, Regular Session 1967, p. 629), which provides for the organization, creation, and operation of the state law institute so as to provide further for the composition of the governing body of the institute.

Also:

By Mr. Merrill:

H. 1004. To amend Act No. 531 adopted at the 1953 Regular Session of the Legislature of Alabama relating to pledges by municipalities, for the benefit of their securities, of that portion of the proceeds from any license, privilege or excise tax levied by local act apportioned and paid to such municipality, so that the said act shall hereafter apply to such taxes levied by any act; so as to provide that successive pledges of any such tax may be made on a parity with each other when the privilege so to do is reserved in proceedings of the municipality; and so as to ratify any pledges of the character authorized by the said act, as herein amended, that may have heretofore been made.

Also:

By Messrs. Ellis, Smith, Lybrand, Hain and Pearson:

H. 513. Creating a Special Commission to be known as the "Alabama Constitutional Commission", prescribing its purposes, duties and authority, and creating a fund providing appropriations for the payment of its expenses.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 227, 228 and 230. To the Committee on Banking.

H. B.'s 765, 119, 994 and 513. To the Committee on Finance and Taxation.

H. B. 1036. To the Committee on Municipalities and Municipal Organizations.

H. B. 1038. To the Committee on Corporations.

H. B.'s 722 and 1004. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Beck and Meade:

H. 823. Changing and extending the corporate limits of the Town of Collinsville, DeKalb County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a local bill will be presented to the Legislature of Alabama at its next session relating to the changing and extending the corporate limits of the Town of Collinsville, DeKalb County, Alabama, and in words and figures substantially as follows:

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Collinsville, Alabama, be, and the same are altered or re arranged so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory, which additional territory is described in Exhibit "A" attached hereto and made a part hereof.

Section 2. That the boundaries set out in Section 1 of this act be, and the same are hereby established as the corporate limits of said Town of Collinsville, Alabama, and all of the territory included and embraced within said boundaries shall hereafter be and constitute a part of the Town of Collinsville, Alabama.

Section 3. That all laws and parts of laws, both general, special and local, in conflict with this act be, and the same are hereby repealed.

Section 4. That this act shall go into effect immediately upon its passage and approval by the governor.

EXHIBIT "A"

Extension of Collinsville City Limits, (January, 1969)

Extension No. 5.

Commencing at the intersection of the West right-of-way line of U. S. Highway No. 11 with the North line of the Southeast Fourth of the Northeast Fourth of Section One (1), Township Nine (9) South, Range Seven (7) East, in DeKalb County, Alabama, thence run Northwest perpendicular to U. S. Highway No. 11 along the present town limits three hundred (300) feet for a point of beginning: thence continue Northwest perpendicular to U. S. Highway No. 11 for a distance of six hundred (600) feet; thence Highway No. 11 for a distance of six hundred (600) feet; thence run Southwest and parallel to U. S. Highway No. 11, maintaining an equidistance of six hundred (600) feet from the present town limits (which are three hundred (300) feet from said Highway to the North line of the South half of the Southwest fourth of said Section 1, thence run East along said North line of said South half to a point on said line three hundred (300) feet from U. S. Highway No. 11 measured perpendicularly to said highway; thence run Northwest and parallel to U. S. Highway No. 11 maintaining an equidistance of three hundred (300) feet therefrom, being along the present town limits, to the point of beginning.

PUBLISHER'S CERTIFICATE

STATE OF ALABAMA ss:
COUNTY OF DEKALB

Personally appeared before the undersigned, a Notary Public, within and for said County and State, Ben M. Smith, publisher of The Times-Journal, a newspaper published at Fort Payne, County of DeKalb, State of Alabama, who being duly sworn, states on oath that the notice, a true copy of which is hereto annexed, was published in said newspaper in its issues of February 11, 18, 25, March 4, 1969.

BEN M. SMITH,
Publisher.

Sworn to and subscribed before me this 6th day of June, 1969.

MARY RUTH BROWN,
Notary Public.

My commission expires January 29, 1973.

Also:

By Messrs. Beck and Meade:

H. 251. An act relating to the municipality of the City of Fort Payne, in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a local act, law or bill will be introduced in the Legislature of the State of Alabama at the Regular Session of the Legislature for the purpose of and in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

An Act relating to the municipality of the City of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Fort Payne in DeKalb County are hereby altered, re-arranged and extended to include within the corporate limits of the City of Fort Payne the following described territory in addition to that already within the corporate limits, to-wit:

Beginning at the Southwest corner of Section 20, Township 6 South, Range 9 East of the Huntsville Meridian in DeKalb County, Alabama, run in an Easterly direction to the Southeast corner of the SW ¼ of the SW ¼ of Section 21, Township 6 South, Range 9 East; thence run in a Northeasterly direction to the Southwest corner of the SE ¼ of the SE ¼ of Section 10, Township 6 South, Range 9 East; thence run in an Easterly direction to the Southeast corner of Section 11, Township 6 South, Range 9 East; thence run in a Northwesterly direction to the Northwest corner of said Section 11; thence run in a Southwesterly direction diagonally across Sections 10, 16 and 20 of Township 6 South, Range 9 East to the point of beginning. Said area of land lying immediately adjacent to the existing corporate limit line of the City of Fort Payne in DeKalb County, Alabama.

Section 2. This act shall become effective immediately upon the passage and approval by the Governor or upon its otherwise becoming a law.

PUBLISHER'S CERTIFICATE

STATE OF ALABAMA
COUNTY OF DeKALB

Personally appeared before the undersigned, a Notary Public, within and for said County and State, Charles E. Hurley, Gen. Mgr. of The Times-Journal, a newspaper published at Fort Payne, County of DeKalb, State of Alabama, who being duly sworn, states on oath that the notice, a true copy of which is hereto annexed, was published in said newspaper in its issues of April 3, 10, 17, 24, 1969.

CHARLES E. HURLEY,
Gen. Mgr.

Sworn to and subscribed before me this 19th day of May, 1969.

MARY RUTH BROWN,
Notary Public.

My commission expires January 29, 1973.

Also:

By Messrs. Beck and Meade:

H. 980. Relating to Dekalb County; providing for nomination and election at large of members of the county commission, repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to DeKalb County; providing for nomination and election at large of members of the county commission, repealing conflicting Laws.

Be It Enacted by the Legislature of Alabama:

Section 1. Hereafter the members of the county commission of DeKalb County shall be nominated by the voters of the county who are authorized by law to participate in any primary election, caucus or convention held or called by any political party for nomination of such officers, and the members of the county commission from the several districts shall be nominated and elected by the qualified electors of the entire county. The said members so elected shall each qualify as to the specific district he shall represent and shall be a qualified elector and resident thereof.

Section 2. The provisions of Act No. 368, H. 394, approved September 7, 1955 (Acts 1953, V. L. P. 889) and Act No. 444, H. 986, approved August 7, 1961 (Acts 1961 Regular Session V. L. P. 482) in conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Notice to publish "A Bill" relating to DeKalb County; providing for nomination and election at large of members of the County Commission repealing conflicting laws.

PUBLISHER'S CERTIFICATE

STATE OF ALABAMA
COUNTY OF DeKALB

Personally appeared before the undersigned, a Notary Public, within and for said County and State, Ben M. Smith publisher of The Times-Journal, a newspaper published at Fort Payne, County of DeKalb, State of Alabama, who being duly sworn, states on oath that the notice, a true copy of which is hereto annexed, was published in said newspaper in its issues of June 3, 10, 17, 24, 1969.

BEN M. SMITH,
Publisher.

Sworn to and subscribed before me this 7th day of July, 1969.

NORMAN BLAYLOCK,
Notary Public.

My commission expires January 29, 1973.

Also:

By Messrs. Adwell, Gloor, Dill, Kilgore, Money, Sessions, Yeilding, Gafford, Cook (Jefferson), Weeks, Meeks, Waggoner and Bowers:

H. 1039. To provide that any city of this State having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census shall be entitled to be reimbursed for all hospital bills, doctor's bills, medical expenses, employee salary while absent from duty, and other expenditures made by such city or agency as a result of an injury to an employee of such city or agency while in the actual performance of his duties as such employee, proximately caused by the negligence of a third person, to such employee of such city or agency thereof by the person, firm or corporation guilty of or liable for such negligence or to whom such negligence may be imputed; to provide for the enforcement of such right to reimbursement.

Also:

By Messrs. Foshee and Jackson (F):

H. 959. Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF GENEVA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

Be It Enacted by the Legislature of Alabama:

Section 1. The Geneva County Inferior Court established pursuant to Act No. 538, H. 1009, Regular Session 1939 (Local Acts 1939, p. 329) shall have, in addition to the jurisdiction now authorized by law, jurisdiction concurrently with the circuit court of matters, suits and actions of law in amounts of not more than $1,500.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GENEVA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for

four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 12, June 19, June 26, and July 3, all in the year 1969.

ORSEN B. SPIVEY.

Sworn to and subscribed before me 8th July, 1969.

ELLEN H. LAYE,
Notary Public.

My Commission Expires 8-10-70.

Also:

By Messrs. Foshee and Jackson (F):

H. 960. To amend Act No. 151, H. 190, Special Session 1962 (Acts 1962, Special Session, p. 195) so as to increase the compensation of the judge of the Inferior Court of Geneva County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF GENEVA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 151, H. 190, Special Session 1962 (Acts 1962, Special Session, p. 195) so as to increase the compensation of the judge of the Inferior Court of Geneva County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 151, H. 190, Special Session 1962 (Acts 1962, Special Session, p. 195) is hereby amended to read as follows:

"Section 1. The judge of the Inferior Court of Geneva County shall receive a salary of $10,000 per annum payable in equal monthly installments out of the general fund of the county upon the warrant of the probate judge. Such warrant shall be a preferred claim against the general fund."

Section 2. This Act shall become effective upon the expiration of the term of the incumbent judge of the Geneva County Inferior Court.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GENEVA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issues of said paper on June 12, June 19, June 26, and July 3, all in the year 1969.

ORSEN B. SPIVEY.

Sworn to and subscribed before me this 8th July, 1969.

ELLEN H. LAYE,
Notary Public.

My Commission Expires 8-10-72.

Also:

By Messrs. Merrill, Lybrand and Burgess:

H. 1003. To alter, rearrange and extend the boundary lines and corporate limits of the city of Piedmont in Calhoun County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CALHOUN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the city of Piedmont in Calhoun County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the city of Piedmont in Calhoun County are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within such corporate limits of the city, a tract of land more particularly described as follows:

That part of Fraction "D" of Fractional Section 8 Twp 13 S, Rn 10 E that is now situated South of the present City Limits (1.0 Mile Radius) and described as follows:

From the Southeast corner of Fraction "D" Fractional Section 8 Twp 13 S, Rn E thence Northerly along the East boundary of said Frac- "D" a distance of 420 feet to the present City Limits curve having a radius of 1.0 mile, thence Northwesterly along the said curve of City Limits to the West line of said Fraction "D" thence Southerly and along the West line of said Fraction "D" a distance of 815 feet to the Southwest corner of Fraction "D", thence Easterly along the South line of said Fraction "D" to the point of beginning.

That part of Fraction "C" Fractional Section 8 Twp 13 S, Rn 10 E that is situated South of the present City Limits (1.0 Mile Radius) and described as follows:

From the Southeast corner of Fraction "C" Fractional Section 8, Twp 13 S, Rn E thence Northerly along the East boundary of said Fraction "C" a distance of 325 feet to the present City Limits (1.0 mile radius) thence Westerly along the curve of the 1.0 mile Rad. City Limits to the West line of said Fraction "C", thence Southerly and along the said

West line of Fraction "C" a distance of 420 feet to the Southwest corner of said Fraction "C", thence Easterly and along the South line of said Fraction "C" to the point of beginning.

That part of Fraction "B" Fractional Section A, Twp 13 S, Rn 10 E situated South of the present City Limits and described as follows:

From the Southeast Corner of Fraction "B" Fractional Section 8, Twp 13 S, Rn 10 E, thence Northerly along the East line of said Fraction "B" a distance of 515 feet to the present City Limits (1.0 mile radius) curve, thence Southwesterly along the 1.0 mile radius curve of the present City Limits to the West line of said Fraction "B", thence Southerly and along the said West line of Fraction "B", a distance of 325 feet to the Southwest corner of said Fraction "B", thence Easterly along the South line of said Fraction "B" to the point of beginning.

All of the SE¼-SW¼ Section 8, Twp 13 S, Rn 10 E.

All of the SW¼-SE¼ Section 8, Twp 13 S, Rn 10 E.

All of the NE¼-NW¼ Section 17, Twp 13 S. Rn 10 E.

All of the NW¼-NE¼ Section 17, Twp 13 S, Rn 10 E.

From the point of intersection of the Southeast right-of-way of the Southern Railway and the South line of Fractional Section 33, Twp 12 S, Rn 10 E, thence Northeasterly along said right-of-way, 50 feet from and parallel to the center of Railway Tracks, a distance of 650 feet to the East line of Fraction 21 Fractional Section 33, Twp 12 S, Rn 10 E, thence Northerly along the said East line of said Fraction 21 a distance of 41.8 feet, which point is 244.2 feet North of the Southeast corner of said Fraction 21, thence an angle of 55 55°-25' left a distance of 1485 feet, which point is 60 feet East of the Northwest corner of Fraction 21, thence continue on the same bearing Northwesterly from said North line of Fraction 21 and the South line of Fraction 20 Fractional Section 33 Twp 12 S Rn 10 E a distance of 80 feet to the West line of said Fraction 20, which point is 52.9 feet North of the Southwest corner of said Fraction 20, thence South along the West line of said Fraction 20 the Southwest corner, which is the Northeast corner of Fraction 24 Fractional Section 32, Twp 12 S, Rn 10 E, thence Westerly along the North line of said Fraction 24 to the Northwest corner thereof, thence Southerly along the West line of said Fraction 24, a distance of 100 feet to the present City Limits (1.0 Mile Radius) thence Southeasterly along the curve of the present City Limits to the point of beginning.

From the Southeast corner of Fraction 7 Fractional Section 32, Twp 12 S, Rn 10 E thence Northerly along the East line of said Fraction 7 a distance of 350 feet, thence Westerly and parallel to the South line of said Fraction 7 to the West line of Fraction 7, thence Southerly along the West line of said Fraction 7 a distance of 350 feet to the Southwest corner of said Fraction 7, thence Easterly along the South line of said Fraction 7 to the point of beginning.

From the Southeast corner of Fraction 15 of Fractional Section 32 Twp 12 S, Rn 10 E, thence Northerly along the East line of said Fraction 15 to the Northeast corner of said Fraction 15, thence Westerly along the North line of said Fraction 15 a distance of 541 feet to the East side of the Shady Grove Road, thence Southerly along the East side of said Shady Grove Road to the South boundary of said Fraction 15, thence Easterly along the South boundary of said Fraction 15 a distance of 950 feet to the point of beginning.

Fraction 9 Fractional Section 32 Twp 12 S, Rn 10 E.

Fraction 10 Fractional Section 32, Twp 12 S, Rn 10 E.

Fraction 16 Fractional Section 32 Twp 12 S, Rn 10 E.

Fraction 17 Fractional Section 32 Twp 12 S, Rn 10 E.

From the Southeast corner of Fraction 13 Fractional Section 31, Twp 12 S, Rn 10 E, thence Northerly along the East boundary of said Fraction 13 to the Northeast corner of said Fraction 13, thence Westerly along the North line of said Fraction 13 a distance of 951.2 feet, thence Southerly and parallel to the West line of said Fraction 13 a distance of 210 feet, thence Westerly and parallel to the North line of said Fraction 13 a distance of 210 feet, thence Southerly and parallel to the West line of said Fraction 13 a distance of 630 feet, thence Easterly and parallel to the South line of said Fraction 13 a distance of 35 feet, thence Southerly and parallel to the West line of said Fraction 13 a distance of 533.4 feet to the South line of Said Fraction 13, thence Easterly and along the South line of Fraction 13 to the point of beginning.

All of said territory lying and being in Calhoun County.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Cecil Weatherbee, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Piedmont Journal, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, 1969, June 5, 1969, June 12, 1969, and June 19, all in the year 1969.

CECIL WEATHERBEE.

Sworn to and subscribed before me this 22nd day of June, 1969.

PAUL H. SAVAGE, III,
Notary Public.

My commission expires March 19, 1972.

Also:

By Messrs. Bassett and Hardin:

H. 1011. Relating to the City of Troy in Pike County: Authorizing the City of Troy as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting the municipal corporation transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the City of Troy in Pike County: Authorizing the City of Troy as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting the municipal corporation transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall apply only to the City of Troy, in Pike County.

Section 2. The municipal corporation of the City of Troy in Pike County shall have the right to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to residents of said city and surrounding territory.

Section 3. The municipal corporation is authorized to construct, lease, purchase or otherwise acquire television lines or cables for the furnishing of television service from any point in this State or any other State to said municipal corporation and surrounding territory.

Section 4. For the purposes of this Act such municipal corporation may exercise the right to eminent domain. Such eminent domain proceedings shall be conducted in the manner now provided by law.

Section 5. (a) In payment for the purchase, construction, acquisition, extension or maintenance of such television cable system, the said municipal corporation may issue its bonds in the manner provided by law.

(b) Such municipal corporation, in order to secure the prompt and faithful payment of the principal and interest of all debts, bonds or other evidences of indebtedness incurred or issued by it for the construction, acquisition, extension, operation and maintenance of a television cable system may execute a mortgage or deed of trust upon any or all of such system and all property used in connection therewith including the franchise or any part thereof.

(c) Such mortgage or deed of trust may contain such terms, conditions covenants and warranties for the protection of the municipal corporation and holders of such bonds or securities issued by such municipal corporning body of the municipal corporation and persons, firms or corporations owning such debts, bonds or securities.

(d) Such mortgages may provide that in the event of the foreclosure of such mortgage or deed of trust, that the purchaser at such foreclosure sale may acquire the right, privilege and franchise of operating such system as may be so sold or conveyed and such purchaser or his vendee may have the right, authority and privilege to carry on and operate such system in the same manner, on the same terms and to the same extent as the municipal corporation is authorized to operate until

the municipal corporation may redeem such system from such mortgage sale.

(e) Such mortgage or deed of trust may provide that during the ownership of the system by the municipal corporation its control of the service of the system shall not be diminished or interferred with by the grant of any other franchise for the operation of any other plant or system for similar purposes; and that such rates and charges shall be established and maintained as are sufficient to meet the cost of operation and maintenance; and such municipal corporation may pledge all of the receipts, earnings and revenues from the operation of the system for the payment of the debts, bonds or other evidences of indebtedness secured by such mortgages or deeds of trust.

Section 6. The municipal corporation furnishing television cable service pursuant to this Act shall have the right to require any person furnishing television cable service to the public in this state to interconnect the television cable lines facilities or systems furnishing such service with or otherwise make available such cables lines facilities or systems to the municipal corporation's television cable, lines, facilities or systems ation as may be determined and agreed upon by the goverin order to provide a continuous line of communication for the municipal corporation's subscribers. In the event such person and the municipal corporation shall be unable to agree upon the terms and conditions of such interconnection, including compensation therefor the Alabama Public Service Commission, upon the request of the municipal corporation, shall establish such terms and conditions which shall be reasonable and non-discriminatory.

Section 7. The municipal corporation shall have all the power and authority necessary and proper to the exercise of the powers conferred on it by this Act and in effectuating the purposes of this Act.

Section 8. For the transaction of business pursuant to this Act, the said municipal corporation shall be exempt from the jurisdiction and control of the Alabama Public Service Commission with respect to such business.

Section 9. All laws or parts of laws in conflict with this Act are repealed.

Section 10. The provisions of the Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
PIKE COUNTY

Before me, Maurine Bryan, A Notary Public in and for said State and County, personally appeared Robert L. Winebarger, who being sworn, deposes and says on oath, that he is the General Manager of THE TROY MESSENGER, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice A Bill to be entitled an act, cable television, was published in said newspaper 4 times, the same appearing in the issues dated: May 14, 21, 28, June 4.

ROBERT L. WINEBARGER,
Gen. Mgr.

Sworn to and subscribed before me this the 6th day of June, 1969.

MAURINE BRYAN,
Notary Public.
Pike County, Ala.

Also:

By Messrs. Crawford and Stembridge:

H. 1016. Relating to additional compensation paid official court reporter in all circuits composed of two counties, having two circuit judges, and in which one county having a population of not less than 50,000 nor more than 51,000 according to the most recent Federal Decennial Census.

Also:

By Messrs. Stembridge and Crawford:

H. 1017. To regulate the compensation of jurors in counties having populations of not less than 50,000 nor more than 54,000.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 823, 251, 980, 959, 960, 1003, 1011, 1016 and 1017. To the Committee on Local Legislation No. 1.

H. B. 1039. To the Committee on Local Legislation No. 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Turnham, Higginbotham and Brassell:

H. 1013. To provide additional revenue in Lee County; levying in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika special county privilege license and excise taxes paralleling, at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such license tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violations of the Act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide additional revenue in Lee County; levying in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika special county privilege license and excise taxes paralleling, at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such license tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violations of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby levied in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika, in addition to all other taxes now imposed by law, special county privilege license and excise taxes paralleling state sales and use taxes in the manner and at the rates hereafter prescribed:

(1) Upon every person, firm, or corporation (including the State of Alabama and its Alcoholic Beverage Control Board in the sale of alcoholic beverages of all kinds, the University of Alabama, Auburn University and all other institutions of higher learning in the state, whether such institutions be denominational, state, county or municipal institutions, and any association or other agency or instrumentality of such institutions) engaged or continuing within that part of Lee County outside the corporate limits of the cities of Auburn and Opelika in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidence of debt or stocks, nor sale or sales of material and supplies to any person for use in fulfilling a contract for the painting, repair, or reconditioning of vessels, barges, ships and other watercraft of over fifty tons burden), an amount equal to one percent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such businesses at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business. Provided that where all the sales of a company are single sales of peanut products, milk products, coffee, and confections sold in dispensing machines located in industrial plants or on private property for employees where such machines dispense exclusively articles not to exceed ten cents (10¢) per sale, and the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10¢) per sale and shall file with the state department of revenue a sworn statement to that effect and shall keep and maintain records satisfactory to the state department of revenue, the gross receipts tax herein provided for shall not be levied.

(2) Upon every person, firm, or corporation engaged or continuing within that part of Lee County outside the corporate limits of the cities of Auburn and Opelika in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, theatres, opera houses, moving picture shows, vaudevilles, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball

games (including athletic contests conducted by or under the auspices of any educational institution within such part of Lee County, or any athletic association thereof, or other association whether such institution or association be denominational, a state, county, or a municipal institution or association or a state, a county or a city school, or other institution, association, or school), skating rinks, race tracks, golf courses or any other place at which any exhibition, display, amusement, or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within such part of Lee County, an amount equal to one percent of the gross receipts of any such business.

(3) Upon every person, firm, or corporation engaged or continuing within that part of Lee County outside the corporate limits of the cities of Auburn and Opelika in the business of selling at retail machines or machinery used in mining, quarrying, compounding, processing and manufacturing of tangible personal property an amount equal to three-eights of one percent of the gross proceeds of the sale of such machines; provided, that the term "machines," as herein used, shall include machinery which is used for mining, quarrying, compounding, processing or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(4) Upon every person, firm, or corporation engaged or continuing within that part of Lee County outside the corporate limits of the cities of Auburn and Opelika in the business of selling at retail any automotive vehicle or truck trailer, semi-trailer, or house trailer an amount equal to three-eights of one percent of the gross proceeds of the sale of said automotive vehicle or truck trailer, semi-trailer or house trailer, provided, however, where a person subject to the tax provided for in this subsection withdraws from his stock in trade any automotive vehicle or truck trailer, semi-trailer or house trailer for use by him or by his employee or agent in the operation of such business, there shall be paid, in lieu of the tax levied herein a fee of one dollar and twenty-five cents per year or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person. Each such year or part thereof shall begin with the day or anniversary date, as the case may be of such withdrawal, and shall run for the twelve succeeding months or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person.

Where any used automotive vehicle or truck trailer, semi-trailer or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less a credit for the used vehicle taken in trade.

(5) An excise tax is hereby imposed on—

a. The storage, use, or other consumption in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika of tangible personal property (not including, however, materials and supplies bought for use in fulfilling a contract for the painting, repairing or reconditioning of vessels, barges, ships and other watercraft of more than fifty tons burden) purchased at retail, for storage, use or other consumption in such part of Lee County, at the rate of one percent of the sale price of such property, except as provided in subsections (b) and (c).

b. The storage, use, or other consumption in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika of any machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property purchased at retail at at the rate of three-eights of one percent of the sales price of such machine; provided, that the term "machine" as herein used, shall include machinery which is used for mining, quarrying, compounding, processing, or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

c. The storage, use, or other consumption in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika of any automotive vehicle or truck trailer, semi-trailer or house trailer purchased at retail for storage, such part of Lee County, at the rate of three-eights of one percent of the sales price of such automotive vehicle, truck trailer, semi-trailer or house trailer. Where any used automotive vehicle or truck trailer, semi-trailer or house trailer is taken in trade, or in a series of trades, as the credit or part payment on the sale of a new or used vehicle, the tax levied shall be paid on the net difference, that is, the price of the new or used vehicle sold less a credit for the used vehicle taken in trade; and

d. An excise tax is hereby imposed on the classes of tangible personal property, and at the rates imposed on such classes, specified in subsections (a), (b) and (c) of this section, on the storage, use or other consumption in the performance of a contract in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika of any such tangible personal property, new or used, the tax to be measured by the sales price or the fair and reasonable market value of such tangible personal property when put into use in such part of Lee County, whichever is less. Provided, however, the tax imposed by this subsection shall not apply where the taxes imposed by subsections (a), (b) or (c) of this section apply.

Section 2. There are exempted from the levy of such taxes the gross receipts of any business and the gross proceeds of all sales which are exempted under the state sales tax statutes from the computation of the amount of the state sales tax. And there is also exempted from the levy the storage, use, or other consumption of property, the storage, use, or other consumption of which is exempted under the state use tax statutes from the state use tax. Subject to these exemptions, every person storing or using or otherwise consuming in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika tangible personal property purchased at retail shall be liable for the tax imposed, and the liability shall not be extinguished until the tax has been paid by such person; provided, however, that a receipt from a registered seller given to the purchaser of any property to be used, stored, or consumed in such part of Lee County shall be sufficient to relieve the purchaser from further liability for the tax to which such receipt may refer. The term "registered seller" means the person registered with the state department of revenue pursuant to the state sales tax statutes. The term "state sales tax statutes" means Act No. 100, H. 94, approved August 18, 1959, which levied a retail sales tax for state purposes, and includes all statutes, including amendments to said Act No. 100 which expressly set forth any exemptions from the computations of the tax levied in said Act No. 100, and all other statutes which expressly apply to, or purport to affect, the administration of said Act No. 100 and the incidence and collection of the tax imposed therein. The term "state use tax statutes" means Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as amended, including all statutes enacted which expressly set forth any exemptions from the computation of the

tax levied in said Article 11 and all other statutes which expressly apply to, or purport to affect, the administration of the said article and the incidence and collection of the tax imposed therein.

Section 3. The sales tax levied in Section 1 shall be due and payable in monthly installments on or before the 20th day of the month next succeeding the month in which the tax accrues; the use tax levied pursuant to Section 1 shall be due and payable quarterly on or before the 20th day of the month next succeeding each quarterly period during which the storage, use, or other consumption, of the tangible personal property became taxable, each such quarterly period to end on the last day of each of the months of March, June, September, and December. All taxes levied pursuant to this Act shall be paid to and collected by the state department of revenue at the same time and along with the collection of the state sales tax and the state use tax. On or prior to the due dates of the taxes levied each person subject to such taxes shall file with the state department of revenue a report or return in such form as may be prescribed by the department, setting forth with respect to all sales and business that are required to be used as the measurement of the tax levied, a correct statement of the gross proceeds of all such sales and the gross receipts of all such business, and setting forth with respect to the use tax levied, the total sales price of all property, the use, storage, or other consumption of which became subject to the tax during the then preceding quarterly period. Such reports shall include also such other items of information pertinent to the said taxes and the amount thereof as the state department of revenue may require. Any person subject to the taxes levied may defer reporting credit sales until after their collection, and in the event he so defers reporting them, he shall thereafter include in each monthly report all credit collections made during the month preceding, and shall pay the taxes due thereon at the time of filing such report. All reports or returns filed with the state department of revenue under this section shall be available for inspection by the governing body of Lee County, or its designated agent, at reasonable times during business hours.

Section 4. Every registered seller making sales of tangible personal property for storage, use, or other consumption in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika (which storage, use, or other consumption is not exempted from the tax imposed) shall at the time of making such sale, or, if the storage, use, or other consumption of such tangible personal property in such part of Lee County is not then taxable under this Act, at the time such storage, use, or other consumption becomes taxable hereunder, collect the tax from the purchaser, and shall give to the purchaser a receipt therefor in the manner and form prescribed by the state department of revenue. On the twentieth day of the month following the close of each quarterly period provided for in Section 3 hereof, each registered seller shall file with the state department of revenue a return for the preceding quarterly period in such form as may be prescribed by the department showing the total sales of the tangible personal property sold by such registered seller, the storage, use, or other consumption of which became subject to the tax imposed during the then preceding quarterly period; and each return shall be accompanied by a remittance of the amount of the tax required to be collected by such registered seller during the period followed by the return; provided, that any registered seller may defer collecting the tax with respect to credit sales until collection of the proceeds of such sales and may defer reporting credit sales until after their collection, but shall thereafter collect the said taxes along with collection of said credit sales and shall include in each quarterly report all credit collections made during the preceding quarterly period, and shall remit the taxes with respect thereto at the time of filing such report or return. Any person who has paid

to a registered seller the tax with respect to the use, storage, or other consumption of tangible personal property in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika need not file a report or make any further payments of the said tax, but each person who purchases tangible personal property, the storage, use, or other consumption of which is subject to the tax imposed, and who has not paid the tax due with respect thereto to a registered seller, shall report and pay the tax as required by Section 3.

Section 5. Each person engaging or continuing within that part of Lee County outside the corporate limits of the cities of Auburn and Opelika in a business subject to the taxes levied in Section 1 shall add to the sales price or admission fee and collect from the purchaser or the person paying the admission fee the amount due by the taxpayer on account of said taxes; and every registered seller shall likewise add to the sales price and collect from the purchaser the amount of any tax which such registered seller is required to collect. It shall be unlawful for any person subject to the tax levied to fail or refuse to add to the sales price or admission fee and to collect from the purchaser or person paying the admission fee the amount herein required to be so added to the sales or admission price and collected from the purchaser, and it shall likewise be unlawful for any person subject to said tax to refund or offer to refund all or any part of the amount so collected or to absorb or advertise directly or indirectly the absorption or refund of said tax or any portion thereof. It shall likewise be unlawful for any registered seller to fail or refuse to add to the sales price and to collect from the purchaser the amount of the tax imposed or to refund or offer to refund or absorb, or to advertise directly or indirectly the absorption of, said tax or any portion thereof.

Section 6. The taxes imposed by this Act shall constitute a debt due Lee County and may be collected by civil suit, in addition to all other methods provided by law and in this Act. The said taxes, together with interest and penalties with respect thereto, shall constitute and be secured by a lien upon the property of any person from whom said taxes are due or who is required to collect said taxes. All provisions of the revenue laws of this state which apply to the enforcement of liens for license taxes due the state shall apply fully to the collection of the county taxes levied, and the state department of revenue for the use and benefit of Lee County shall collect such taxes and enforce this Act and shall have the exercise for such collection and enforcement all rights and remedies that this state or the department has for collection of the state sales tax and the use tax. The state department of revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes authorized to be levied by this Act, and otherwise to enforce the provisions of this Act, including any litigations involving the Act; and the department shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it for Lee County.

Section 7. All provisions of the state sales tax statutes with respect to payment, assessment and collection of the state sales tax, making of reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports, or otherwise comply with the state sales tax statutes, the promulgation of rules and regulations with respect to the state sales tax, and the administration and enforcement of the state sales tax statutes, which are not inconsistent with the provisions of this Act when applied to the tax levied in Section 1 hereof, shall apply to the county tax levied, and all provisions of the state use tax statutes with respect to payment, assessment and collection of the state use tax, making quarterly reports, and keeping and preserving records with respect thereto, in-

terest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the state use tax statues, the promulgation of rules and regulations with respect to the state use tax, and the administration and enforcement of the state use tax statutes, which are not inconsistent with the provisions of this Act when applied to the county use tax levied shall apply to the county tax. The commissioner of revenue and the state department of revenue shall have and exercise the same powers, duties, and obligations with respect to the county taxes levied as are imposed on the commissioner and the department, respectively, by the state sales tax statutes, and the state use tax statutes. All provisions of the state sales tax statutes and the state use tax statutes that are made applicable by this Act to the county taxes levied and to the administration of this Act are incorporated herein by reference and made a part hereof as if fully set forth herein.

Section 8. The state department of revenue shall charge Lee County for collecting the special county taxes levied such amount or percentage of total collections as may be agreed upon by the commissioner of revenue and the court of county commissioners, board of revenue, or like governing body of the county, but such charge shall not in any event exceed ten percent of the total amount of special county taxes collected hereunder within the county. Such charge for collecting the special taxes for the county may be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due Lee County for that month. The commissioner of revenue shall pay into the state treasury all county taxes collected under this Act, as such taxes are received by the department of revenue; and on or before the first day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this Act and paid by him into the state treasury for the benefit of Lee County during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of Lee County during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the public school funds of Lee County, in his official capacity, in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of the county. The custodian of public school funds for Lee County shall deposit the revenue derived from the taxes levied herein in the public school funds of the county; and the net proceeds derived from the taxes levied by this Act shall be used for general school purposes in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This act shall become effective October 1, 1969.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Wear, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Opelika Daily News, a news-

paper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 10, June 17, June 24, and July 1, all in the year 1969.

W. C. WEAR, JR.

Sworn to and subscribed before me July 14, 1969.

DOROTHY W. MITCHELL,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1013. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 79. To authorize and provide for compulsory driver education in the public high schools of Alabama and the granting of credit for same.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Adwell, Cook (Jefferson), Weeks, Holman, Sessions, Meeks, House, Gloor, Waggoner, Kilgore, Money, Watkins and Gafford:

H. 677. To amend Act No. 529 of the 1949 Regular Session of the Legislature of Alabama approved September 2, 1949, (Acts of Alabama, 1949, pages 827 et seq.) entitled as heretofore amended, "An Act to apply in all counties of this state having a population of not less than 150,000 according to the last or any subsequent federal census and to provide for the protection of public health and safety in such counties by requiring persons to establish their competency as plumbers before doing or supervising plumbing in said counties in this state; to create a board to be known as the plumbers examining board; to define plumbing, master plumbers, journeymen plumbers, plumber apprentices and subjects related to plumbing; to provide for the appointment of members of said plumbers examining board and their terms of office; to provide for the payment of compensation to the members of said board and its employees; to define the powers conferred upon and the duties imposed upon said board; to provide funds for the maintenance,

operations and functions of said board; to provide for the examination and certification of master plumbers, journeymen plumbers and plumbers apprentices; to provide for the payment of examination fees and certificate fees; to empower the board to revoke certificates; to provide for appeals from the ruling of the board; to provide for the execution and filing of bonds by plumbers; to provide for the collection, handling and disbursement of monies and funds received as fees by said board, and to provide for penalties for the violation of this Act"; so as to provide that municipalities having populations of not less than 130,000 nor more than 200,000 and municipalities having populations of 300,000 or more according to the last or any subsequent federal census may require additional examination, certification and regulation of plumbers doing plumbing work within the corporate limits of such cities.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 677. To the Committee on Public Buildings and Grounds.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 491. To amend further Act No. 491, S. 444, Regular Session 1961, relating to cities having populations of not less than 60,000 nor more than 70,000 according to the most recent federal decennial census (Acts 1961, p. 563) so as to provide expense allowances for the chairman and associate members of the city commission.

Also:

S. 410. Relating to counties having populations of not less than 100,000 nor more than 115,000; to provide an additional, alternative procedure whereby cities and towns in such counties may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

Also:

S. 468. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Tallapoosa County.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Neville:

H. 525. To prescribe a rule to apply in the circuit courts and courts of full like jurisdiction in all suits of a civil nature, at law or in equity, when a jury trial is not demanded and a plea in abatement based on improper venue has been filed.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H.B. 525. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Downing:

H. 289. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding $4,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the payment of the costs of the work required of the Alabama State Docks as the local sponsoring agency for the improvement in Mobile Harbor, Alabama, known as the Theodore Ship Channel project or for the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding $2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and

to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H.B. 289. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Grainger, Laxson, Jones, McLain and Pennington:

H. J. R. 87. WHEREAS, At 9:56 p.m. on July 20, 1969, man took the longest step in his history and opened a new frontier in the heavens. Apollo 11 transformed the dreams of man for uncounted years into the reality of history's greatest adventure. In the name of peace, American astronauts made the first epic voyage into the ocean of space for the benefit of all mankind. And in the realization of an eight-year national commitment to become first in space, America recorded the world's greatest scientific achievement and inspired people everywhere. The product of centuries of scientific conjecture and experimentation, it was achieved through the creativity and dedication of the greatest task force ever assembled for a peaceful purpose. Its primary purpose, and its greatest payoff, is to be described as the search for knowledge; and

WHEREAS, Alabama played a role unsurpassed by any state in leading America to the forefront of the Space Age. The first American satellite was placed into orbit by Explorer I, built in Huntsville, Alabama. The first American in space, Alan Shepard, was powered on his flight by a Redstone rocket. Marshall Space Flight Center, largest of all National Aeronautics and Space Administration installations, has developed the huge Saturn launch vehicles which have carried man beyond earth orbit and to the moon. Practically every county in Alabama is represented in the Marshall Center's large force of scientists, engineers, and technicians. More than one-third of the Center's professional personnel hold degrees from Alabama institutions of higher learning. The space business is Alabama's largest business and its economic and technological benefits are realized throughout the state; and

WHEREAS, Huntsville's first citizen, Dr. Wernher von Braun, has led the development of rocketry from its infancy to the Cosmic Age and has achieved international renown as the world's greatest rocket development leader since he and his team of rocket experts moved to Huntsville in the early 1950s; and

WHEREAS, In landing on the moon man has arrived at his first way-station in his journeys to the stars, the first of many mountains to be climbed in the future. The vigorous spirit which has brought American pre-eminence among space-faring nations will continue to kindle other scientific breakthroughs. Further planetary exploration will tell man still more about himself and his universe. An orbiting space station will add other new dimensions of scientific achievement:

photographs and remote sensing devices can spot disease in crops and forests; locate underground water, oil, and minerals; help find fish in oceans; update maps; detect dumping of wastes into streams; measure ice and snow for better water management of lakes and reservoirs and for reducing the ravages of floods; measure soil fertility and salinity; and predict crop yields on a worldwide basis to help match supply with demand and prevent famine. The post-Apollo space research commitment can continue to enhance the lives of all men on earth through new products and services which "spin-off" from the original discovery. The dramatic lunar landing of July, 1969, can be a new beginning toward still more fantastic achievements.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily commend the hundreds of thousands of Americans whose creativity and dedication made possible man's greatest scientific achievement, and particularly Dr. von Braun and his outstanding team at Huntsville. We offer our prayers to Astronauts Armstrong, Aldrin, and Collins for their safe return to earth and our gratitude to each of them for their signal achievement. We take cognizance of the fact that the discoveries, the advances in technology and the applications of knowledge which are within our reach during the post-Apollo years of space exploration can far exceed the remarkable first decade of the Space Age and we encourage the President and the Congress of the United States to continue our nation's resolve to remain first in space and in scientific achievement.

BE IT FURTHER RESOLVED That copies of this resolution be furnished Dr. Wernher von Braun, President Richard M. Nixon, and all members of Congress from Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Giles, the Rules were suspended and the Resolution, HJR 87, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTIONS

Messrs. Morrow, Childs, Dominick, Vacca, Bailes, Hawkins, Skidmore, Harris and Gilmore offered the following Senate Joint Resolution, to-wit:

S. J. R. 57. Authorizing The Board of Trustees of the University of Alabama to designate the new student center building on the main campus of the University of Alabama as "Ferguson Student Center."

WHEREAS, the University of Alabama will soon begin construction of a building on the main campus to be used as a new student center; and

WHEREAS, Mr. Hill Ferguson served for forty years on the University of Alabama Board of Trustees and its Executive Committee, many of those years as Chairman, a role in which he shared responsibility for all major decisions taken during this long period of this University's development; and

WHEREAS, Mr. Ferguson's contributions to the institution can be measured from the time in 1905 when, as President of the Society of of the Alumni, he inspired and led the Greater University Campaign which resulted in the construction of Comer, Morgan, and Smith Halls; and

WHEREAS, through the tenures of eight presidents, all of whom he helped to select, he combined the enthusiasm of his undergraduate experience and the loyalty of an alumnus who never missed a Commencement in sixty-five years, with the practical vision of a businessman in diligent promotion of the best interests of the University; and

WHEREAS, it is entirely fitting that this new building bear the name of this great man;

NOW, THEREFORE, BE IT RESOLVED by the Senate of the Legislature of Alabama, the Senate concurring, that The Board of Trustees of the University of Alabama is hereby authorized to designate the new student center soon to be constructed on the main campus of the University of Alabama as "Ferguson Student Center" in honor of Mr. Hill Ferguson.

On motion of Mr. Morrow, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Nabors offered the following Senate Joint Resolution, to-wit:

S. J. R. 58. WHEREAS, our knowledge of the course of man on the planet Earth indicates intermittent periods of the striving for accomplishment, a search for truth, a yearning for beauty, a hope for immortality; and

WHEREAS, the record reveals that of the billions of people who have existed, only a few have been privileged to enjoy the results of the higher virtues of man, but rather most have suffered from the frailties of his fellows including greed, avarice, envy, pride, lust and ignorance; and

WHEREAS, we, who are now fortunate to be a member of the population of this planet, have observed the marvels of the application of abstract knowledge in the laboratories and workshops of the nations; and

WHEREAS, we have witnessed by sound and sight the breaking of the shackles of the gravity of earth and of its satellite, the moon, thus freeing man from the restrictions of mass, enabling him to soar in limitless space; now, therefore

BE IT RESOLVED BY THE SENATE OF THE STATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That the Administrator, the officials, the staff, the employees and the private contractors of the National Aeronautics and Space Administration together with Astronauts Armstrong, Aldrin and Collins be and are hereby commended for the extraordinary technical accomplishment of demonstrating the ability of man in escaping from earth the bounds of physical laws, with the implication that all parliaments and other social institutions are challenged to press for the betterment of life on earth; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Administrator of the National Aeronautics and Space Administration.

On motion of Mr. Nabors, the Rules were suspended and the Resolution was adopted by the Senate.

FURTHER CONSIDERATION OF S. R. 54

The Senate proceeded to further consideration of the Resolution:

S.R. 54. Setting Special Orders.

The question was on the amendment offered by Mr. Turner. On motion of Mr. Cooper, said amendment was laid on the table.

Yeas 17; Nays 10.

Yeas:

Messrs.:	Engel	McDermott	Pierce	
Albea	Givhan	Morrow	Skidmore	
Branyon	Goodwyn	Nabors	Torbert	
Carr	Harris	O'Bannon	Vacca	
Clark	Hawkins			—17

Nays:

Messrs.:	Cooper	Giles	McCarley	
Bailes	Dominick	Gilmore	Turner	
Childs	Folsom	Lindsey		—10

Mr. Turner then offered the following amendment to the Resolution, S. R. 54, to-wit:

AMENDMENT TO SENATE RESOLUTION NO. 54

Amend Senate Resolution No. 54 by striking therefrom the letters and figures "SB 159 15" and inserting in lieu thereof the letters and figures "SB 8 4".

MOTION TO ADJOURN LOST

At 4:45 P.M., Mr. Cooper moved that the Senate adjourn until Monday, July 28, 1969, at 2 o'clock P.M., which motion was lost.

Yeas 7; Nays 20.

Yeas:

Messrs.:	Branyon	Engel	O'Bannon	
Albea	Cooper	Lindsey	Oden	
				—7

Nays:

Messrs.:	Folsom	Harris	Pierce	
Bailes	Giles	McCarley	Skidmore	
Carr	Gilmore	McDermott	Torbert	
Childs	Givhan	Morrow	Turner	
Clark	Goodwyn	Nabors	Vacca	
Dominick				—20

FURTHER CONSIDERATION OF S. R. 54

The Senate proceeded to further consideration of the Resolution:

S.R. 54. Setting Special Orders.

The question was on the amendment offered by Mr. Turner.

On motion of Mr. Clark, said amendment was laid on the table.

Yeas 16; Nays 6.

Yeas:

Messrs.:	Clark	Hawkins	O'Bannon	
Bailes	Cooper	McDermott	Pierce	
Branyon	Giles	Morrow	Torbert	
Carr	Givhan	Nabors	Vacca	
Childs				—16

Nays:

Messrs.:	Folsom	McCarley	Turner	
Albea	Goodwyn	Skidmore		—6

MOTION TO ADJOURN LOST

At 6 o'clock P.M., Mr. Clark moved that the Senate adjourn until Monday, July 28, 1969, at 2 o'clock P.M., which motion was lost.

Yeas 3; Nays 21.

Yeas:

Messrs.:	Albea	Bailes	Cooper	
				—3

Nays:

Messrs.:	Folsom	McCarley	Pierce	
Branyon	Giles	McDermott	Skidmore	
Carr	Givhan	Morrow	Torbert	
Childs	Goodwyn	Nabors	Turner	
Clark	Harris	O'Bannon	Vacca	
Dominick	Hawkins			—21

FURTHER CONSIDERATION OF S. R. 54

The Senate proceeded to further consideration of the Resolution, S. R. 54.

MOTION TO ADJOURN LOST

At 7 o'clock P.M., Mr. Clark moved that the Senate adjourn until Monday, July 28, 1969, at 2 o'clock P.M., which motion was lost.

Yeas 2; Nays 22.

Yeas: Messrs. Cooper, Lindsey —2

Nays:

Messrs.:	Clark	Harris	O'Bannon	
Albea	Dominick	Hawkins	Pierce	
Bailes	Folsom	McCarley	Skidmore	
Branyon	Giles	McDermott	Torbert	
Carr	Givhan	Morrow	Turner	
Childs	Goodwyn	Nabors		—22

FURTHER CONSIDERATION OF S. R. 54

The Senate proceeded to further consideration of the Resolution, S. R. 54.

MOTION TO ADJOURN LOST

At 8:05 P.M., Mr. Clark moved that the Senate adjourn until Monday, July 28, 1969, at 2 o'clock P.M., which motion was lost.

Yeas 1; Nays 23.

Yea: Mr. Lindsey —1

Nays:

Messrs.:	Clark	Harris	O'Bannon
Albea	Dominick	Hawkins	Pierce
Bailes	Folsom	McCarley	Skidmore
Branyon	Giles	McDermott	Torbert
Carr	Givhan	Morrow	Turner
Childs	Goodwyn	Nabors	Vacca

—23

FURTHER CONSIDERATION OF S. R. 54

The Senate proceeded to further consideration of the Resolution, S. R. 54.

MOTION TO ADJOURN LOST

At 9:10 P.M., Mr. Torbert moved that the Senate adjourn until Monday, July 28, 1969, at 2 o'clock P.M., which motion was lost.

Yeas 2; Nays 22.

Yeas: Messrs. Cooper, Lindsey —2

Nays:

Messrs.:	Dominick	Hawkins	Pierce
Albea	Folsom	McCarley	Skidmore
Branyon	Giles	McDermott	Torbert
Carr	Givhan	Morrow	Turner
Childs	Goodwyn	Nabors	Vacca
Clark	Harris	O'Bannon	

—22

FURTHER CONSIDERATION OF S. R. 54

The Senate proceeded to further consideration of the Resolution, S. R. 54.

And said Resolution:

S.R. 54. Setting Special Orders.

Was then adopted by the Senate.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Cooper	Harris	O'Bannon
Albea	Dominick	Hawkins	Pierce
Branyon	Folsom	McCarley	Skidmore
Carr	Giles	McDermott	Torbert
Childs	Givhan	Morrow	Turner
Clark	Goodwyn	Nabors	Vacca

—23

Nays: —0

MOTION TO ADJOURN LOST

At 10:10 P.M., Mr. Torbert moved that the Senate adjourn until Monday, July 28, 1969, at 2 o'clock P.M., which motion was lost.

Yeas 2; Nays 20.

Yeas: Messrs. Childs, Cooper —2

Nays:

Messrs.:	Giles	McCarley	Pierce
Albea	Givhan	McDermott	Skidmore
Branyon	Goodwyn	Morrow	Torbert
Carr	Harris	Nabors	Turner
Clark	Hawkins	O'Bannon	Vacca
Folsom			—20

SPECIAL ORDERS

BILLS ON THIRD READING

The Senate proceeded to consideration of the special, paramount and continuing order of business for today, the first of which was the Bill:

S. 57. To repeal Section 30, Title 13, Code of Alabama 1940, which requires the justices of the Supreme Court to remain in Montgomery during terms of court.

The Bill:

H. 981. Relating to cities having populations of more than thirty thousand and not exceeding forty-five thousand according to the most recent federal decennial census; to validate certain elections purportedly held pursuant to Act No. 404, S. 430 of the Regular Session of 1953 (Acts, 1953, p. 472), and to amend said Act No. 404, which authorizes, provides for and regulates the adoption of the council-manager form of government by any such city, so as to provide further for notice required of the election of the first council after a city elects this form of government, and to provide for holding and conducting the elections of the first and subsequent city councils under this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McDermott	Pierce
Albea	Givhan	Morrow	Skidmore
Carr	Goodwyn	Nabors	Stone
Childs	Harris	O'Bannon	Torbert
Clark	Hawkins	Oden	Turner
Cooper	Jackson	Pelham	Vacca
Dominick	McCarley		—25

Nays: —0

The Bill:

S. 593. To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Colbert County, Alabama; to authorize the governing body of said County to expend public funds

under its control therefor; to provide for the taxing and collection of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel. To provide further for the distribution of fines and forfeitures in certain cases.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pierce	
Albea	Folsom	McCarley	Skidmore	
Bailes	Giles	McDermott	Stone	
Branyon	Gilmore	Morrow	Torbert	
Carr	Givhan	O'Bannon	Turner	
Childs	Goodwyn	Pelham	Vacca	
Clark	Lindsey			—25

Nays: —0

ADJOURNMENT

The hour of 12 o'clock Midnight having arrived, the President and Presiding Officer of the Senate declared the Senate adjourned, pending further consideration of S. B. 57, until Friday, July 25, 1969, at 10 o'clock A.M.

TWENTY-THIRD LEGISLATIVE DAY

FRIDAY, JULY 25, 1969

The Senate met pursuant to adjournment, President Pro Tempore Goodwyn presiding.

PRAYER

The Session was opened with prayer by the Honorable Aubrey J. Carr, Senator from the Seventh Senatorial District.

ROLL CALL

Present:

Messrs.:	Dominick	Hawkins	O'Bannon	
Albea	Engel	Lindsey	Pierce	
Branyon	Folsom	Lolley	Skidmore	
Carr	Giles	McCarley	Torbert	
Childs	Gilmore	McDermott	Turner	
Clark	Givhan	Morrow	Vacca	
Cooper	Goodwyn	Nabors		—26

JOURNAL

On motion of Mr. Vacca, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Second Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Nabors, leaves of absence were granted Messrs. Harris, Adams, Leonard, Oden, Bailes, Jackson, Pelham, Stone and Radney for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Carr:

S. 728. To provide for the regulation and control of Air Pollution in the State of Alabama; creating the Department of Air Pollution Control; creating a technical advisory board and an appeal board to work in conjunction with the Department of Air Pollution Control; providing for the duties and powers of said department and boards; and making it a criminal offense to violate provisions of this Act and providing penalties for such violations.

Committee on Public Buildings
and Grounds.

By Mr. Carr:

S. 729. To provide for the regulation and control of air pollution in the State of Alabama; creating the Department of Air Pollution Control; creating the position of Director of Air Pollution Control who shall be a member of the Governor's cabinet; providing for the duties and powers of said department; making it a criminal offense to violate provisions of this Act and providing penalties for such violations and to provide for civil suits to recover both compensatory and punitive damages for such violations.

Committee on Public Buildings
and Grounds.

By Mr. Carr:

S. 730. To make an appropriation for the next two state fiscal years to the Air Pollution Control Fund.

Committee on Finance and Taxation.

By Messrs. McCarley, Branyon, Albea, O'Bannon, Goodwyn, Clark, Gilmore and Cooper:

S. 731. Relating to taxation: To exempt feeds for animals raised or kept for laboratory use in scientific research or experimentation or in medical research or for other medical purposes and certain ingredients used in mixing or preparing feeds for such laboratory animals from the State Sales and Use Taxes.

Committee on Finance and Taxation.

By Mr. McDermott:

S. 732. To authorize and provide for payment by the state of additional compensation to certain municipal law enforcement officers; to prescribe the duties of the director of public safety and of certain municipal officials relative to such payments; to create a board of review to hear any appeals arising under this act; and to make an appropriation to carry out the purposes of this act.

Committee on Finance and Taxation.

BILLS ON THIRD READING

The Bill:

S. 650. To provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in counties having a population of not less than 55,000 nor more than 60,000, according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

S. 449. To alter, rearrange and extend the boundaries of the Town of Blue Springs, so as to include within the corporate limits thereof certain additional territory in portions of Section 13, 14, 23, and 24, Township 8 North, Range 25 East, Barbour County, Alabama.

was taken up.

Mr. Clark offered the following amendment to the Bill, S. B. 449, to-wit:

AMENDMENT TO S. B. NO. 449

Amend Senate Bill Number 449 by striking out Section 2 of the bill in its entirety and inserting in lieu thereof the following:

"Section 2. The provisions of this Act shall become operative only if the Act is approved by a majority of the qualified electors of Barbour County owning property within that part of the territory hereinabove described which is not presently included within the corporate limits of the Town of Blue Springs, voting in a referendum election, which election may be called for such a day as may be designated by a resolution of the governing body of the town of Blue Springs, but such day may not be less than 30 nor more than 180 days from the date of this enactment. Notice of the election shall be given by the Mayor of Blue Springs by publication in the Clayton Record once per week for three consecutive weeks preceding said election. Such notice shall contain a description of the territory to be annexed and a list of the qualified electors of Barbour County owning property within such territory, shall state that said list will be corrected by the Mayor on proper proof made to him by deed or affidavit, and shall state the day on which the election shall be held, and the voting place designated, and shall state that maps of such territory are on file and open to public inspection in the Office of the Judge of Probate in Clayton and in the office of the Mayor in Blue Springs.

"The Town Governing Body shall appoint as many election officials from among the qualified electors owning property within the territory to be annexed as are prescribed by law for holding municipal elections; said officials shall manage the election, and tabulate the votes. The election shall be held and conducted in all respects as provided by the general laws governing municipal elections and under the same sanctions and penalties except as modified in this Act. The tax assessor of Barbour County shall, at the request of the Mayor of Blue Springs, furnish said Mayor a list of the property owners in the territory to be annexed, and the Mayor shall, on proper proof made to him by deed or affidavit, add to or delete names from such list to correct it. The Probate Judge of Barbour County shall, at the request of the Mayor of Blue Springs, certify which of such property owners are qualified electors of Barbour County. The Town of Blue Springs shall pay all costs and expenses incident to the election, including rental of voting machines which are hereby ordered to be used. The governing body shall cause to be prepared for the election, supplies necessary for holding the election. The question shall be: 'Do you favor annexation of the territory described in the notice of this election to the Town of Blue Springs in accordance with the provisions of Act No. enacted by the 1969 Legislature? Yes ( ) No ( ).'

"The election officials must, as soon as the polls are closed, tabulate the votes and certify the results thereof to the Mayor of the Town of Blue Springs. The Mayor shall canvass the return and certify the results to the governing body of the municipality and to the Probate Judge of Barbour County. If a majority of the qualified electors voting in the election vote in favor of annexation the Judge of Probate shall make and enter an order on the records of the Probate Court adjudging and decreeing the corporate limits of the Town of Blue Springs to extend so as to embrace the territory hereinabove described. If a majority of the qualified electors voting in the election vote against annexation, this Act shall have no further effect. The Mayor of

the Town of Blue Springs shall certify the results of the election to the Secretary of State within sixty days after the election."

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

And said Bill, S. B. 449, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

S. 448. To alter, rearrange and extend the boundaries of the Town of Blue Springs, so as to include within the corporate limits thereof certain additional territory in portions of Sections 14, 15, 22, and 23, Township 8 North, Range 25 East, Barbour County, Alabama.

was taken up.

Mr. Clark offered the following amendment to the Bill, S. B. 448, to-wit:

AMENDMENT TO S. B. 448

Amend Senate Bill 448 by striking out Section 2 of the Bill in its entirety and inserting in lieu thereof the following:

"Section 2. The provisions of this Act shall become operative only if the Act is approved by a majority of the qualified electors of Barbour County owning property within that part of the territory hereinabove described which is not presently included within the corporate limits of the Town of Blue Springs, voting in a referendum election, which election may be called for such a day as may be designated by a resolution of the governing body of the Town of Blue Springs, but such day may not be less than 30 nor more than 180 days from the date of this enactment. Notice of the election shall be given by the Mayor of Blue Springs by publication in the Clayton Record once per week for three consecutive weeks preceding said election. Such notice shall contain a description of the territory to be annexed and a list of the

qualified electors of Barbour County owning property within such territory, shall state that said list will be corrected by the Mayor on proper proof made to him by deed or affidavit, and shall state the day on which the election shall be held, and the voting place designated, and shall state that maps of such territory are on file and open to public inspection in the Office of the Judge of Probate in Clayton and in the office of the Mayor in Blue Springs.

"The Town Governing Body shall appoint as many election officials from among the qualified electors owning property within the territory to be annexed as are prescribed by law for holding municipal elections; said officials shall manage the election, and tabulate the votes. The election shall be held and conducted in all respects as provided by the general laws governing municipal elections and under the same sanctions and penalties except as modified in this Act. The tax assessor of Barbour County shall, at the request of the Mayor of Blue Springs, furnish said Mayor a list of the property owners in the territory to be annexed, and the Mayor shall, on proper proof made to him by deed or affidavit, add to or delete names from such list to correct it. The Probate Judge of Barbour County shall, at the request of the Mayor of Blue Springs, certify which of such property owners are qualified electors of Barbour County. The Town of Blue Springs shall pay all costs and expenses incident to the election, including rental of voting machines which are hereby ordered to be used. The governing body shall cause to be prepared for the election, supplies necessary for holding the election. The question shall be: 'Do you favor annexation of the territory described in the notice of this election to the Town of Blue Springs in accordance with the provisions of Act No. enacted by the 1969 Legislature? Yes ( ) No ( ).'

"The election officials must, as soon as the polls are closed, tabulate the votes and certify the results thereof to the Mayor of the Town of Blue Springs. The Mayor shall canvass the return and certify the results to the governing body of the municipality and to the Probate Judge of Barbour County. If a majority of the qualified electors voting in the election vote in favor of annexation the Judge of Probate shall make and enter an order on the records of the Probate Court adjudging and decreeing the corporate limits of the Town of Blue Springs to extend so as to embrace the territory hereinabove described. If a majority of the qualified electors voting in the election vote against annexation, this Act shall have no further effect. The Mayor of the Town of Blue Springs shall certify the results of the election to the Secretary of State within sixty days after the election."

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

And said Bill, S. B. 448, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

S. 654. To amend Section 1 of Act No. 87, H. 270, Regular Session 1955, an act relating to Mobile County and regulating the office of the Judge of Probate of said county (Acts 1955 v. 1, page 335) as last amended by an Act approved September 2, 1964, (Acts 1964 p 322).

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

S. 656. To alter, extend and rearrange the boundary lines of the City of Chickasaw, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

S. 598. To amend Act No. 177, H. 315, of the Regular Session of 1947 (Gen. Acts, 1947, p. 62), which provides for the taxing as a part of the cost in certain cases of a mileage charge for the sheriff for executing the writ

of arrest or other process and excepts certain counties, classified by population, from the operation of such Act; amending the title and Section 4 of such Act in relation to the classification of the counties excepted.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22
Nays:				—0

The Bill:

S. 600. To amend Act No. 647, H. 437 of the Regular Session of 1959 (Acts, 1959, p. 1562) which creates judgeship number three in the Sixth Judicial Circuit and provides that circuit judge number three shall be ex-officio judge of all courts in such circuit as to juvenile and domestic relations matters, cases, hearings and proceedings and shall have exclusive jurisdiction thereof, amending such act in order to provide for appointing a judge for such matters, cases, hearings or proceedings when circuit judge number three is absent or for any reason incompetent to sit for such matter, case, hearing or proceeding or when the public welfare will be served by his not sitting therein.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22
Nays:				—0

The Bill:

S. 641. To amend Section 6 of Act No. 78, H. 64, Special Session 1967 (Acts 1967, p. 109), an act to regulate further the procedure for the abandoning the Commission form of government and the reorganization of the city government thereafter in all cities of this state which have a population of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census, with respect to the salary of the Mayor and Aldermen elected under the above act and to further establish the office of Mayor as a full-time office.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

S. 642. Relating to cities operating under the Commission form of government for more than thirty years having a population of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census, fixing the election and terms of office, the salaries and duties of the members of the Board of Commissioners of such cities.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

S. 643. To propose a constitutional amendment relative to levying additional taxes in Talladega County for public school purposes.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

S. 655. To alter, extend and rearrange the boundary lines of the City of Saraland, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22
Nays:				—0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Albea, further consideration of the Bill, S. B. 640, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 688. To provide for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judicial Circuit of Alabama.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22
Nays:				—0

The Bill:

H. 910. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 100,000 nor more than 115,000.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22
Nays:				—0

The Bill:

H. 667. To amend Act No. 491, S. 444 of the Regular Session of 1961 (Acts, 1961 Regular Session, p. 563) which provides for a commission form of government for cities having populations of not less than 60,000 nor more than 70,000 according to the most recent federal decennial census, in relation to the compensation of the chairman and associate members of the commission.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 869. Relating to Perry County; to provide an allowance for clerk hire and expenses for the Circuit Court Clerk of Perry County, Alabama.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 920. Relating to counties having populations of not less than 35,500 nor more than 36,500; to provide further for the compensation of certain bailiffs in such counties.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 921. Relating to Covington County; authorizing the county governing body to make an appropriation for the relief of Ray Bozeman, circuit clerk of said county.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 255. Relating to counties having a population of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 392. To amend Act No. 668, H. 918, Regular Session 1967 (Acts, Regular Session 1967, p. 1493), which provides additional compensation for the official court reporter of the third judicial circuit, in order to delete a provision therof which provides for the expiration of the Act.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 594. Relating to counties having a population of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census; fixing the compensation of the superintendent of education in such counties.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 804. Relating to counties having populations of not less than 46,000 nor more than 46,500; to provide further for the compensation of certain bailiffs in such counties.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 939. To apply only in Counties having populations of not less than 15,000 nor more than 15,300; fixing the fee for issuance of a pistol permit by the Sheriff; and providing for the distribution and use of such fees.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 868. Relating to Perry County; to provide an allowance for clerk hire and expenses for the Tax Collector and the Tax Assessor of Perry County, Alabama.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22
Nays:				—0

The Bill:

H. 987. Relating to counties having a population of not less than 15,000 nor more than 15,300; to increase the compensation of members of boards of registrars in such counties.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22
Nays:				—0

The Bill:

H. 898. To amend Act No. 109, H. 379, Regular Session of 1951 (Acts 1951, Vol. 1, page 334). To impose extra, new and additional duties upon each member of the Court of County Commissioners of Perry County, Alabama and to provide additional compensation for the performance of such duties, and the method of payment of such compensation.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22
Nays:				—0

The Bill:

H. 946. To provide for the government and control by civil service regulations of certain employees of the sheriff's department of Calhoun County, Alabama, and to provide for a civil service board in said county and to fix its duties, authority, powers, and method of compensation.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22
Nays:				—0

The Bill:

H. 988. Relating to counties having a population of not less than 15,000 nor more than 15,300; to increase the compensation of members of the jury commission in such counties.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22
Nays:				—0

The Bill:

H. 859. Relating to Calhoun County; authorizing municipalities in said county to pay hospital and medical expenses of any municipal employee injured in line of duty.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22
Nays:				—0

The Bill:

H. 945. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the City.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 915. Relating to counties having a population of not less than 96,000 nor more than 106,000; fixing the compensation of the officers of the circuit court in such counties.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 912. Relating to counties having a population of not less than 96,000 nor more than 106,000; providing expense allowances for certain officers in such counties.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 914. Relating to counties having a population of not less than 96,000 nor more than 106,000; increasing the expense allowance of the county judges in such counties.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 913. Relating to counties having a population of not less than 96,000 nor more than 106,000; fixing the compensation of certain officers in such counties.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 929. To alter, rearrange and extend the boundary lines and corporate limits of the town of Reece City in Etowah County.

was taken up.

Mr. Nabors offered the following amendment to the Bill, H. B. 929, to-wit:

AMENDMENT TO H. B. 929

In the description of the property, in Section 1 of the bill, strike out the words and figures: Range 5 East, and insert in lieu thereof the words and figures: Range 6 East,

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

And said Bill, H. B. 929, as thus amended, was then read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 872. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 3 and 4, Township 15 North, Range 18 East, and Section 33, Township 16 North, Range 18 East, Montgomery County, Alabama.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 916. To amend Section 8 of Act No. 432, H. 937 approved August 7, 1961 to regulate the Office of Sheriff in counties of more than 150,000 population and less than 300,000 population according to the last Federal census or any subsequent Federal census; to authorize the Sheriff to appoint an attorney to advise or represent him; to fix the compensation of said attorney to be paid out of the general fund of the County by the Board of Revenue or like governing body; and providing when this Act shall become effective.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 917. To fix the compensation of the judge of probate of all counties having populations of not less than 150,000 nor more than 300,000 according to the 1960 Federal Census; to require such probate judges to pay into the county treasury all costs and charges of court, fees, and commissions authorized to be collected by such probate judges; to provide that the salary herein prescribed shall not affect any expense allowance heretofore provided; and to repeal conflicting laws, including specifically Act No. 312, H. 580, Regular Session 1963 (Acts 1963, p. 792).

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 352. To alter, rearrange and extend the boundary lines and corporate limits of the town of Dora in Wlaker County.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 352, to-wit:

SUBSTITUTE FOR H. B. 352

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the town of Dora in Walker County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Dora are hereby altered, rearranged and extended so as to incorporate within the town the following described territory lying and being in Walker County, Alabama, to-wit:

Beginning at the Northeast corner of the present City Limits of the Town of Dora, Alabama, as shown in Map Book 2, page 63, in the office of the Judge of Probate of Walker County, Alabama, which is the point of intersection of the south right-of-way line of U. S. Highway # 78 (Bankhead Highway) and the west right-of-way line of the Empire Branch of the Frisco Railroad in the SE¼ of NE¼ Section 9, Township 15 South, Range 5 West, thence run southwesterly along the East boundary of the present City Limits of the Town of Dora as follows: Run southwesterly along the West boundary of the Empire Branch of the Frisco Railroad right-of-way as said railroad meanders through Sections 9, 16, and 17 to the intersection of the West boundary of the SE¼ OF SE¼, Section 17, all in Township 15 South, Range 5 West, thence run South along said West boundary to the Southwest corner of the SE¼ of the SE¼ of Section 17, Township 15 South, Range 5 West, thence run Southwest a distance of 1867 feet, more or less, to the Southeast corner of the NE¼ of the NW¼, Section 20, Township 15 South, Range 5, thence run West a distance of 660 feet; thence run South a distance of 3960 feet, more or less, to the South boundary of Section 20, Township 15 South, Range 5 West; thence continue South a distance of 660 feet; thence run West a distance of 1980 feet, more or less, to the West boundary of Section 29, Township 15 South, Range 5 West, which is the Southwest corner of the present City Limits of the Town of Dora, Alabama; thence run South along the West line of the NW¼ of NW¼ of said Section 29, to the Southwest corner of said NW¼ of said Section 29; thence run East along the South line of the N½ of NW¼ of said Section 29 to the Southeast corner thereof; thence run North along the East line of the Northeast Quarter of the NW¼ of said Section 29 to the Northeast corner thereof; thence run East along the South line of Section 20, Township 15 South, Range 5 West to the Southeast corner thereof; thence continue East along the South line of Section 21, Township 15 South, Range 5 West, to the Southeast corner of the W½ of said Section 21; thence North along the East line of said W½ of Section 21 to the Northeast corner of said W½ of said Section 21; thence continue North along the East line of the SW¼ of Section 16, Township 15 South, Range 5 West, to the Northeast corner of the SW¼ of said Section 16; thence East along the South line of the SW¼ of said Section 16 to the Southeast corner of the W½ of the NE¼ of said Section 16; thence North along the East line of the W½ of the NE¼ of said Section 16 to the Northeast corner of the W½ of the NE¼ of said Section 16; thence East along the North line of said Section 16 to the Northeast corner of said Section 16; thence North along the East line of Section 9, Township 15 South, Range 5 West, to its intersection with the South right-of-way line of U. S. Highway 78; thence Northwesterly along the South right-of-way line of said Highway to the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

And said Bill, H. B. 352, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 847. To provide for reimbursing the members of the county governing bodies of all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 873. To alter and rearrange the boundaries of the City of Eutaw, Greene County, Alabama.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 969. Relating to all counties having populations of not less than 15,300 nor more than 15,400 according to the most recent federal decennial census; fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22
Nays:				—0

The Bill:

H. 896. To apply only in counties having populations of not less than 27,000 nor more than 30,000; providing expense allowances for members of the county board of equalization payable from the general funds of the county; and giving the act retroactive effect.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22
Nays:				—0

The Bill:

H. 894. Relating to Washington County; providing for the election of members of the court of county commissioners, board of revenue, or other like governing body of Washington County by the county at large.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22
Nays:				—0

The Bill:

H. 931. To create the Inferior Court of Pike County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Pike County, the County Court of Pike County, and all criminal and quasi criminal jurisdiction of Justices of the Peace in said county.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 934. To alter, rearrange and extend the boundary lines and corporate limits of the town of Livingston in Sumter County.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 810. To create a mosquito abatement district in any two contiguous counties of this state having a combined population of not less than 360,000 nor more than 600,000, according to the most recent federal decennial census, for the purpose of controlling and abating mosquitoes and other vectors; to provide a mosquito control board for administrative purposes and to prescribe its authority; to provide for the appointment, number and terms of its members; to authorize the governing bodies of any county, city or town within the district to appropriate public funds for the purposes of this act.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 442. Relating to counties having a population of not less than 10,800 nor more than 12,000 according to the last and any succeeding Federal Decennial Census, providing for the compensation and allowances of

members of the county governing body; and to validate actual expenses heretofore paid in performance of their duties outside the county.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

S. 677. Relating to counties having populations of not less than 300,000 and not more than 500,000; authorizing municipalities in such counties to contract with any public corporation operating a water system or water and sewer system or sewer system within the municipality to collect or assist in the collection of the municipal garbage service charge.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 922. To alter, rearrange and extend the boundary lines and corporate limits of the City of Jackson in Clarke County, Alabama; to exempt the annexed territory or certain parts thereof from ad valorem taxation by the city under certain conditions and to provide that certain police ordinances will not be effective in the annexed territory or certain parts thereof under certain prescribed conditions.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 907. To authorize the county governing body of Cleburne County to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law and to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 908. Relating to Cleburne County; authorizing the appointment of sheriff's deputies, and authorizing the county governing body to determine number of deputies and their salaries.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 138. Relating to cities having a population of not less than 100,000 nor more than 150,000 according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 138, to-wit:

SUBSTITUTE FOR H. B. 138

A BILL
TO BE ENTITLED
AN ACT

Relating to cities having a population of not less than 100,000 nor more than 150,000 according to the last or any subsequent federal decen-

nial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

Be It Enacted by the Legislature of Alabama:

Section 1. It is hereby determined and declared that in cities having a population of not less than 100,000 nor more than 150,000, according to the most recent federal decennial census, that the free circulation of traffic of all kinds through the streets of said municipalities within this state is necessary to the health, safety and general welfare of the public; that in recent years the greatly increased use by the public of motor vehicles of all kinds has caused serious traffic congestion in streets of said municipalities; that the parking of motor vehicles in the streets has contributed to this congestion; that such congestion prevents the free flow of traffic in, through and from such municipalities, impedes the rapid and effective fighting of fires and disposition of police force, threatens irreparable loss in the values of urban property within said cities which can no longer be readily reached by vehicular traffic and endangers the health, safety and welfare of the general public; that this traffic congestion is not capable of being adequately abated except by provisions of sufficient off-street parking facilities; that adequate off-street parking facilities have not been provided and parking spaces now existing must be forthwith supplemented by off-street parking facilities provided by public undertaking; and that the enactment of the provisions of this act is hereby declared to be a public necessity. This act shall apply only to such cities.

Section 2. The council or other governing body of all cities within the State of Alabama, having a population of not less than 100,000 nor more than 150,000 according to the most recent federal decennial census, is hereby authorized and empowered to acquire, receive, take and hold, whether by purchase, gift, lease, devise, or otherwise, property of every description, whether real, personal or mixed, and to manage said property and to develop any undeveloped property owned, leased or controlled by such city for the purposes hereinafter set out; to execute such contracts and other instruments and to take such other action as may be necessary and convenient to carry out the provisions of this act or to exercise the power granted hereunder; to plan, establish, acquire, construct, enlarge, improve, maintain, and equip parking facilities; to lease or let such facilities or any one or more of them to such tenant or tenants for such term, or terms, at such compensation or rental as the council or other governing body may from time to time direct; to issue interest bearing revenue bonds payable from the limited sources hereinafter referred to; to pledge for payment of such bonds any revenues or funds from which such bonds are made payable; to make and enter into contracts, leases and agreements incidental to or necessary for the accomplishment of any purpose or purposes authorized by this act; to make and enforce rules and regulations governing the use of any parking facilities owned or controlled by said city; to cooperate with the State, any county, city, town, public corporation, agency, department or political subdivision of the State, and to make such contracts with them or any of them as the council or other governing body may deem advisable to accomplish the purpose of this act; to receive and accept grants for or in aid of the construction, extension improvement, maintenance or operation of any parking facility from the United States of America or any agency thereof, from the State, any department or agency thereof and any political subdivision thereof and to receive and accept money, property, labor or other things of value from any source whatsoever; and to do any and all things necessary or convenient for the exercise of any power herein granted.

Section 3. The council or other governing body of any such city is hereby specifically authorized to and shall lease any said parking facilities constructed under the provisions of this act; proveded, however, that prior to leasing any such parking facility the council or other governing body must determine and find the following: the amount necessary in each year to pay the principal of and the interest on the bonds proposed to be issued to finance such project; the amount necessary to be paid each year into any reserve fund which the council or other governing body may deem it advisable to establish in connection with the retirement of said bonds and the maintenance of said parking facility or facilities; and, unless the terms under which the project is to be leased, provide that the lessee shall maintain the project and carry all proper insurance (including liability insurance) with respect thereto, the estimated cost of maintaining the parking facility in good repair and keeping it properly insured. The lease agreement shall provide for the payment of rentals based on such findings and determinations as are sufficient (a) to pay the principal of and interest on the bonds issued to finance the parking facility, (b) to build up and maintain any reserves deemed by the council or other governing body to be advisable in connection therewith, (c) unless the agreement of lease obligates the lessee to pay for the maintenance and proper insurance (including liability insurance) of the parking facility, to pay the cost of maintaining the parking facility in good repair and keeping it properly insured.

The council or other governing body of any such city shall not be authorized to operate parking facilities constructed under the provisions of this act unless there is a default in payment of rent which has remained unpaid after ten days written notice of such default. In such an event the lease may be terminated and the city may operate such facility until such time as another suitable tenant can be obtained, and that said city shall diligently seek another suitable tenant, and shall not operate the facility for a longer period than the 12th legislative day of the next ensuing regular session of the Legislature, after default. After the expiration of the effective date of the Court Square Urban Renewal Plan, viz., January 1, 1999, and after the bonds have been retired and/or the indebtedness against the parking facility has been paid in full, the council or other governing body of any such city is hereby authorized and shall sell and convey its interest in said facility upon such terms or conditions as may be adopted by such council or other governing body.

Section 4. The principal of and interest on any bonds issued under this act shall be secured by a pledge of the revenues out of which such bonds may be made payable and may be secured by a mortgage covering all or part of any project or projects from which the revenues so pledged may be derived, and may be secured by a pledge of the lease of such project. The proceedings under which such bonds are authorized to be issued or any such mortgage may contain any agreements and provisions customarily contained in instruments securing bonds, including, without limiting the generality of the foregoing, provisions respecting the fixing and collection of rents for any project covered by such proceedings of mortgage, the terms to be included in the lease of such project, the maintenance and insurance of such project, the creation and maintenance of special funds from the revenues from such project, and the rights and remedies available in event of default to the bond holders or to the trustee under a mortgage, all as the governing body shall deem advisable and as shall not be in conflict with the provisions of this act; provided, however, that in making any such agreement or provisions a city shall not have the power to obligate itself except with respect to the project and the application of the revenues therefrom and shall not have the power to incur a pecuniary liability or a charge upon its general credit or against its taxing powers. The proceedings authorizing any bonds hereunder and any mortgage securing such bonds may pro-

vide that in the event of default in payment of the principal of or the interest on such bonds or in the performance of any agreement contained in such proceedings or mortgage, such payment and performance may be enforced by mandamus or by the appointment of a receiver in equity with power to charge and collect rents and to apply the revenues from the project in accordance with such proceedings or the provisions of such mortgage. Any such mortgage may provide also that in the event of default in such payment or the violation of any agreement contained in the mortgage, the mortgage may be foreclosed either by sale at public outcry or by proceedings in equity, and may provide that any trustee under such mortgage or the holder of any of the bonds secured thereby may become the purchaser at any foreclosure sale if the highest bidder therefor. No breach of any such agreement shall impose any pecuniary liability upon a municipality or any charge under its general credit or against its taxing powers.

Section 5. Any bonds issued hereunder and at any time outstanding may at any time and from time to time be refunded by any such city by the issuance of its refunding bonds in such amount as the governing body may deem necessary but not exceeding any amount sufficient to refund the principal of the bonds so to be refunded, together with any unpaid interest thereon and any premiums and commissions necessary to be paid in connection therewith. Any such refunding may be effected whether the bonds to be refunded shall have then matured or shall thereafter mature, either by sale of the refunding bonds and the application of the proceeds thereof for the payment of the bonds to be refunded thereby, or by exchange of the refunding bonds for the bonds to be refunded thereby; provided, that the holders of any bonds so to be refunded shall not be compelled without their consent to surrender their bonds for payment or exchange prior to the date on which they are payable, or if they are called for redemption, prior to the date on which they are by their terms subject to redemption. Any refunding bonds issued under the authority of this act shall be payable solely from the revenues out of which the bonds to be refunded thereby were payable, and shall be subject to the appropriate provisions of this Act.

Section 6. The proceeds from the sale of any bonds issued under authority of this act shall be applied only for the purpose for which the bonds were issued; provided, however, that any accrued interest and premium received in any such sale shall be applied to the payment of the principal of or the interest on the bonds sold; and provided, further, that if for any reason any portion of such proceeds shall not be needed for the purpose for which the bonds were issued, then such unneeded portion of said proceeds shall be applied to the payment of the principal of or the interest on said bonds. The cost of acquiring any project shall be deemed to include the following: the actual cost of the construction, including architect's and engineer's fees; the purchase price of any part of a project that may be acquired by purchase; all expenses in connection with the authorization, sale and issuance of the bonds to finance such acquisition; and the interest on such bonds for a reasonable time prior to construction, during construction, and for not exceeding six months after completion of construction.

Section 7. Any such city subject to the provisions of this act may pay out of its general funds or otherwise contribute any part of the costs of acquiring a project, and may use land already owned by the municipality, or in which the municipality has an equity, for construction thereof of a project; and the municipality may accept donations of property to be used as a part of any project and money to be used for defraying any part of the cost of any project, provided, however, that where revenue bonds are issued, or to be issued, such city shall make no contribution of money or property nor obligate itself to

make any contribution of money or property which would cause such bonds to be debts within the meaning of section 225 of the Constitution of the State of Alabama or bonds within the meaning of section 222 of the Constitution of the State of Alabama.

Section 8. Bonds issued under the provisions of this act shall be legal investments for banks and insurance companies organized under the laws of this state.

Section 9. The bonds authorized by this act and the income therefrom, all mortgages executed as security therefor, all lease agreements made pursuant to the provisions hereof, and all projects and revenues derived from any lease thereof shall be exempt from all taxation in the State of Alabama.

Section 10. Neither this act nor anything herein contained shall be construed as a restriction or limitation upon any powers which a municipality might otherwise have under any laws of this state, but shall be construed as cumulative; and this act shall not be construed as requiring an election by the voters of a municipality prior to the issuance of bonds hereunder by such municipality unless required by the Constitution of the State of Alabama.

Section 11. If any section, provision, or clause of this act shall be declared invalid or unconstitutional, such declaration shall not affect the part or parts which remain.

Section 12. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

And said Bill, H. B. 138, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

S. 686. To authorize and provide for the establishment, maintenance, equipping, operation, and financing of a public law library in Lee County; and to provide for the taxing and collection of law library fees as items of court costs in cases docketed in all courts within the county, excepting justice of the peace courts.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

S. 698. To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payments, distribution and use of the proceeds so as to provide further for the use of the proceeds of such taxes.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Albea, further consideration of the Bill, S. B. 678, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 699. To amend Section 7 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

S. 700. To alter, or rearrange the boundary lines of the Town of Holly Pond, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 602. Relating to counties having a population of 600,000 or more according to the last or any succeeding federal census; and to provide for the allocation and distribution between and among said counties and the incorporated municipalities located therein of those portions of the net proceeds from the state gasoline excise tax that are allocated or apportioned to such counties and municipalities therein by Sections 3, 4 and 5 of Act No. 224 adopted at the special session of the Legislature of Alabama of 1967 (Acts of Alabama of 1967, page 295 et seq.); to repeal Act No. 404 adopted at the 1967 Regular Session of the Legislature of Alabama (Acts of Alabama of 1967, page 1017 et seq.) and all other laws or parts of laws in conflict herewith; and to fix the effective date of this act.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 821. To authorize any city of this State having a population of 300,000 or more inhabitants, according to the last or any subsequent Federal census to pay hospital bills, doctors' bills, and other medical expenses incurred by any policeman, fireman or other employee of such city or agency thereof in securing treatment of injuries sustained by such policeman, fireman or other employee as a result of and while in the actual performance of his duties as an employee of such city or agency.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

The Bill:

H. 941. For the relief of Bertha Mae Rhodes, individually and as Guardian for Douglas Clell Rhodes and Cathy Ann Rhodes, the widow and minor children of Clell Rhodes, an employee of Jefferson County, who died on September 22, 1965, as the proximate result of injuries sustained while engaged within the scope of his duties as an employee of Jefferson County, and to provide for the payment of Three Thousand Dollars ($3,000.00) for such relief out of such moneys and funds as may be constitutionally available.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore	Morrow		—22

Nays: —0

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. J. R. 30. Commending Hugh McClendon and Bob Weaver for their rescue of a drowning man.

Also:

S. J. R. 40. Expressing opposition to any plan by Congress that would in any way limit the tax exempt status of interest paid on bonds issued by state and local governments.

Also:

S. J. R. 41. Recognizing the heroic sacrifice of Patrolman Kenneth L. Spencer, Jr. of the Birmingham Police Department.

Also:

S. J. R. 43. Mourning the death of Mr. Preston Payne of Tuscaloosa.

Also:

S. J. R. 44. Saluting Dr. Wernher Von Braun, Blount Brothers and all other Alabama contractors and sub-contractors for their part in the Apollo program.

Also:

S. J. R. 46. Mourning the death of Bishop Charles Colcott Jones Carpenter.

Also:

S. 79. To authorize and provide for compulsory driver education in the public high schools of Alabama and the granting of credit for same.

Also:

S. 126. To levy a license fee on Certified Public Accountants engaged in the practice of Public Accounting in the State of Alabama and to provide for the disposition of funds.

Also:

S. 238. To amend Title 55, Section 84, Code of Alabama 1940.

Also:

S. 410. Relating to counties having populations of not less than 100,000 nor more than 115,000; to provide an additional, alternative procedure whereby cities and towns in such counties may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

Also:

S. 491. To amend further Act No. 491, S. 444, Regular Session 1961, relating to cities having populations of not less than 60,000 nor more than 70,000 according to the most recent federal decennial census (Acts 1961, p. 563) so as to provide expense allowances for the chairman and associate members of the city commission.

Also:

S. 468. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Tallapoosa County.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

UNFINISHED BUSINESS
BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

By Mr. Torbert:

S. 57. To repeal Section 30, Title 13, Code of Alabama 1940, which requires the justices of the Supreme Court to remain in Montgomery during terms of court.

And said Bill, S. B. 57, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 19; Nays 0.

Yeas:

Messrs.:	Folsom	Hawkins	Pierce
Childs	Giles	Lindsey	Skidmore
Clark	Gilmore	McDermott	Torbert
Cooper	Givhan	Morrow	Turner
Engel	Goodwyn	O'Bannon	Vacca

—19

Nays: —0

REPORTS OF COMMITTEES

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. McElhaney:

H. 342. To provide for city elections on legality of sale and distribution of alcoholic beverages in dry counties; and to exempt certain counties, classified by population, from the operation of the Act.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Folsom:

S. 721. Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; to provide supplementary compensation for the secretary of the judge of the intermediate court in such counties; to repeal conflicting laws.

By Messrs. Shumate and Dobbs:

H. 1026. Relating to counties having populations of not less than 51,000 nor more than 56,000; authorizing appropriations from the treasury of any such county for the relief of C. F. Pruitt and Quillian Benson.

By Mr. Holladay (with notice and proof):

H. 1028. Relating to St. Clair County; levying a privilege license or excess tax upon sellers, distributors or users of malt or brewed beverages, said privilege license or excise tax to vary in amount based upon the location within St. Clair County where said sale of malt or brewed beverages is consummated; providing for the administration of this act and the collection and use of the proceeds of the tax; providing penalties for violations.

By Mr. Tuck:

H. 1023. Relating to counties having a population of not less than 21,850 nor more than 21,950; increasing the salary of the deputy solicitor in such counties.

By Messrs. Pruitt and Manley (with notice and proof):

H. 1027. Relating to Perry County; relieving the board of registrars of the county from the duty of visiting precincts or voting places in the performance of their duties.

By Mr. McCarley:

S. 726. Relating to all counties having populations of not less than 18,000 nor more than 19,000, according to the most recent federal decennial census; to provide an expense allowance for the chairman and members of the governing body in such counties; to repeal conflicting laws.

By Mr. Branyon:

S. 716. To apply only in counties having populations of not less than 15,500 nor more than 16,300 according to the most recent federal decennial census, fixing the per diem pay for members of the county board of equalization.

By Mr. Skidmore (with notice and proof):

S. 705. Relating to Tuscaloosa County; to provide a chairman of the county governing body of such county; to prescribe his duties, powers and authority and fix his compensation; and to relieve the probate judge of such county of his duties, powers and authority as president and ex officio member of said governing body.

By Mr. Neville (with notice and proof):

H. 1050. Relating to Barbour County; further regulating the schedule days of meeting of the board of equalization of Barbour County at the two courthouses of the county; providing taxpayers a right as to the place of holding certain hearings, and requiring notice thereof.

By Mr. Neville (with notice and proof):

H. 1048. Relating to Barbour County; regulating the compensation of the jury commission, and the clerk thereof.

By Mr. Neville (with notice and proof):

H. 1049. To create a judiciary fund in the county treasury of Barbour County, to be used for the purpose of obtaining, maintaining and making available for public use certain judicial reference materials; to provide for certain payments into the fund and to provide for and regulate expenditures from the fund; placing certain duties on the Judge of the Third Judicial Circuit, the county treasurer of Barbour County and the Barbour County Bar Association; and authorizing the county governing body of Barbour County to expend general funds of the county for the purpose of providing quarters and facilities for the proper care and storage and the convenient use of such judicial reference materials.

By Mr. Holladay:

H. 1030. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 24,800 nor more than 25,400, according to the most recent Federal Decennial Census.

By Mr. Turner (with notice and proof):

S. 708. Relating to Crenshaw County; providing for the compensation of members of the county board of education.

By Mr. Turner (with notice and proof):

S. 711. To provide further for the government of Crenshaw County; to redivide the county into commissioners districts; to provide for the election, qualifications and terms of office of members of the court of county commissioners; to regulate further their duties relative to roads and bridges; to provide for the construction, repair and maintenance of public roads and bridges in the county on the county unit basis; to provide for a county engineer and prescribe his powers and duties.

By Mr. Turner (with notice and proof):

S. 710. To provide for the appointment of the county superintendent of education of Crenshaw County; to provide for and regulate his compensation; and to repeal conflicting laws.

By Mr. Turner (with notice and proof):

S. 709. To abolish all boards of trustees for public schools in Crenshaw County; and to authorize the board of education of Crenshaw County to provide for the performance of all duties heretofore required of such school trustees.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 959. Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 960. To amend Act No. 151, H. 190, Special Session 1962 (Acts 1962, Special Session, p. 195) so as to increase the compensation of the judge of the Inferior Court of Geneva County.

By Mr. Hardin:

H. 1025. Relating to counties having populations of not less than 24,525 and not more than 24,675; relieving the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties.

By Messrs. Stembridge and Crawford:

H. 1017. To regulate the compensation of jurors in counties having populations of not less than 50,000 nor more than 54,000.

By Messrs. Crawford and Stembridge:

H. 1016. Relating to additional compensation paid official court reporter in all circuits composed of two counties, having two circuit judges, and in which one county having a population of not less than 50,000 nor more than 51,000 according to the most recent federal decennial census.

By Mr. O'Bannon:

S. 727. To amend Act No. 113, S. 4, Special Session 1961 (Acts 1961, p. 809) relating to judicial circuits composed of only one county and having populations of not less than 60,500 and not more than 65,000 inhabitants according to the most recent federal decennial census which authorizes the district attorney of said circuit to appoint a stenographic secretary, so as to provide further for the compensation of such secretary.

By Messrs. Goodwyn and Pierce (with notice and proof):

S. 695. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 27 and 28, Township 16 North, Range 17 East, Montgomery County, Alabama.

By Messrs. Goodwyn and Pierce (with notice and proof):

S. 696. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16 North, Range 18 East, Montgomery, Alabama.

By Messrs. Goodwyn and Pierce (with notice and proof):

S. 693. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 23, 25, 26 and 35, Township 16 North, Range 18 East, Montgomery County, Alabama.

By Messrs. Goodwyn and Pierce (with notice and proof):

S. 694. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 1, Township 16 North, Range 18 East, Montgomery County, Alabama.

By Mr. Snell:

H. 705. Relating to all counties having populations of not less than 37,000 nor more than 41,000 according to the most recent federal decennial census, fixing the per diem pay for members of the board of equalization.

By Mr. Snell:

H. 704. Relating to all counties having populations of not less than 37,000 nor more than 41,000; regulating the compensation of certain officers, providing compensation for clerks, deputies, assistants and secretaries, and providing for operation of their offices.

By Messrs. Higginbotham, Turnham and Brassell (with notice and proof):

H. 876. To amend further Act No. 394, H. 828, Regular Session 1961, an act providing deputies and assistants for the sheriff of Lee County in relation to the number and compensation of such deputies and assistants.

By Mr. Torbert:

S. 63. Proposing an amendment to the Constitution of Alabama to provide that the legislature may from time to time, by general or local laws, fix, alter and regulate the costs and charges of courts in Lee County and the method of disbursement thereof.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Snell:

H. 774. To provide, in any county of the State of Alabama having a population of not less than 37,000 or more than 41,000, according to the last or any subsequent decennial census for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within such county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; and to accord the authority exemption from state, county and city taxation.

By Messrs. Merrill, Lybrand and Burgess (with notice and proof):

H. 1003. To alter, rearrange and extend the boundary lines and corporate limits of the city of Piedmont in Calhoun County.

By Messrs. Merrill, Lybrand and Burgess (with notice and proof):

H. 1034. To authorize the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City, to authorize and permit, on behalf of the City of Anniston, Alabama, South Central Bell Telephone Company, its successors and assigns, to construct and maintain a building, or a portion thereof, over and above the alley running north and south in Block 4 as shown on the Anniston City Land Company Map of Anniston, and to construct and maintain a passage-way under said alley, said construction to connect the building now occupied by said Telephone Com-

pany on the west side of said alley, or as it may be repaired or altered, with a building to be constructed by it on the east side of said alley; to set forth certain conditions concerning the width of said building, or portion thereof, constructed over and above said alley. the width of said passage-way under said alley, and the height from the top surface of said alley that the bottom of said building, or portion thereof, constructed over and above said alley shall be, in the event such authority and permission is granted by the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City; to provide that the City of Anniston, Alabama, shall not be liable or responsible in damages for any injuries to persons, including death, or for any damages to property, arising out of or connected with the construction or maintenance of said building, or portion thereof, or said passage-way; to provide that in the event such authority and permission is granted, all parts of said alley included with the dimensions of said building, or portion thereof, constructed over and above said alley, and all parts of said alley included within the dimensions of said passage-way constructed under said alley shall be expressly vacated, and all rights of the public, including property owners in said Block 4, in said vacated portion of said alley, shall be expressly divested, and that the City of Anniston shall not be liable in damages in any manner by reason of said vacation; and to provide certain other conditions and provisions relative to said Act.

RESOLUTIONS

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 59. RESOLVED BY THE SENATE That the following Bills shall be the paramount and continuing order of business for the Twenty-third Legislative Day only:

BILL NO.	PAGE
SB 58	31
SB 59	41
SB 60	49
SB 237	42
SB 378	35
SB 570	59
SB 15	4
SB 461	46
SB 499	48
SB 177	26
SB 178	26
SB 179	26
SB 180	26
SB 181	27
SB 39	25
SB 202	18

SB 536	55
HB 459	77
SB 205	42
SB 502	51
SB 619	1 Supplement
SB 507	17 Supplement
SB 508	17 Supplement
SB 509	17 Supplement
SB 419	54
SB 420	54
SB 265	64
SB 77	8
SB 223	10
SB 335	23
SB 154	13
SB 155	14
SB 153	13
SB 157	14
SB 159	15

Mr. Turner offered the following amendment to the Resolution, S. R. 59, to-wit:

AMENDMENT TO S. R. 59

Amend Senate Resolution No. 59 by adding thereto between the letters and figures "SB 570 59" and "SB 15 4" the letters and figures "SB 111 5".

Which was adopted.

And said Resolution, S. R. 59, as thus amended, was then adopted by the Senate.

Mr. Branyon offered the following Senate Joint Resolution, to-wit:

S. J. R. 60. WHEREAS, Act No. 51 of the 1947 Legislature provides that one member of the Gulf States Marine Fisheries Commission created by the Gulf States Marine Fisheries Compact be from time to time elected by the Legislature of Alabama from its members; and

WHEREAS, in April 1965, Senator L. W. Brannan, Jr. was elected as a Commissioner for the term expiring July 1, 1967:

NOW, THEREFORE, BE IT RESOLVED by the Senate of Alabama, the House of Representatives concurring, that Senator L. W. Brannan, Jr. of Foley, Alabama, be re-elected and designated by the Legislature of Alabama to serve as a Commissioner on the said Gulf States Marine Fisheries Commission until July 1, 1971, or until his successor shall have been elected.

Which was read and referred to the Standing Committee on Rules.

SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount and continuing order of business for today, the first of which was the Bill:

S. 58. To amend Section 29, Title 13, Code of Alabama 1940, as amended, relating to the salary of every justice of the supreme court.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, S. B. 58, to-wit:

SUBSTITUTE FOR S. B. 58

A BILL
TO BE ENTITLED
AN ACT

To amend Section 29, Title 13, Code of Alabama 1940, as amended, relating to the salary of every justice of the supreme court.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 29, Title 13, Code of Alabama 1940, as amended, relating to the salary of every justice of the supreme court, is further amended to read as follows:

"Section 29. The salary of every justice of the supreme court is twenty-two thousand five hundred dollars ($22,500) annually, payable in equal semi-monthly installments as the salaries of other state officers are paid."

Section 2. This act shall become effective January 7, 1970.

Mr. Torbert offered the following amendment to the substitute for the Bill, S. B. 58, to-wit:

AMENDMENT TO SUBSTITUTE FOR S. B. 58

Amend Section 2 of the substitute for SB 58 by striking the words and figures "January 19, 1970" and inserting the words and figures "January 7, 1970".

Which was adopted.

And the substitute, as amended, for the Bill, SB 58, was then adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Cooper	Goodwyn	Nabors
Albea	Dominick	Harris	Pierce
Branyon	Folsom	Hawkins	Skidmore
Carr	Giles	Lindsey	Torbert
Childs	Gilmore	McDermott	Turner
Clark	Givhan	Morrow	Vacca

—23

Nays: —0

And said Bill, SB 58, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 20; Nays 2.

Yeas:

Messrs.:	Engel	Hawkins	Pierce	
Albea	Folsom	Lindsey	Skidmore	
Childs	Giles	McDermott	Torbert	
Clark	Givhan	Morrow	Turner	
Cooper	Goodwyn	Nabors	Vacca	
Dominick				—20

Nays: Messrs. Branyon, Carr —2

The Bill:

S. 59. To provide for a supreme court composed of a chief justice and eight associate justices; amending Code 1940, Title 13, Secs. 10, 11, 14, and 15, and Title 17, Sec. 71.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 13; Nays 7.

Yeas:

Messrs.:	Folsom	Lindsey	Torbert	
Childs	Giles	Morrow	Turner	
Clark	Givhan	Skidmore	Vacca	
Engel	Goodwyn			—13

Nays:

Messrs.:	Branyon	Hawkins	Nabors	
Albea	Carr	McDermott	Pierce	
				—7

The Bill:

S. 60. To amend Sections 31, 32 and 33, Title 13, Code of Alabama 1940, as amended, relating to supernumerary justices of the supreme court so as to provide further conditions for mandatory and elective status and to prescribe the duties, powers and salaries of such justices.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, SB 60, to-wit:

SUBSTITUTE FOR S. B. 60

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 31, 32 and 33, Title 13, Code of Alabama 1940, as amended, relating to supernumerary justices of the supreme court so as to provide further conditions for mandatory and elective status and to prescribe the duties, powers and salaries of such justices.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 31, 32 and 33, Title 13, Code of Alabama 1940, as amended, relating to supernumerary justices of the supreme court are amended to read as follows:

"Section 31. A. The chief justice or any associate justice of the supreme court shall be placed upon supernumerary status upon reaching the age of seventy years.

B. The chief justice or any associate justice of the supreme court may elect to become a supernumerary justice if he

(1) has served for fifteen years as a justice of the supreme court or as a judge of the court of appeals or circuit court, or any two or more of them consecutively, the last twelve years of which has been continuous, and has reached or passed the age of sixty-five years; or

(2) has served continuously for fifteen years as a justice of the supreme court or as a judge of the court of appeals or circuit court, or any two or more of them consecutively, and who has become physically unable to carry out his duties on a full time basis, proof of such disability being made by certificate of three reputable physicians; or

(3) has served continuously for fifteen years as a justice of the supreme court or as a judge of the court of appeals or circuit court, or any two or more of them consecutively, and has attained age sixty-five less one year for each year of service in excess of fifteen; or

(4) has served continuously for ten years as justice of the supreme court or as a judge of the court of appeals or circuit court, or any two or more of them consecutively, and who is not less than seventy years of age; or

(5) has served for twenty-four years as a justice of the supreme court or as a judge of the court of appeals or circuit court, or any two or more of them consecutively, or for not less than four terms the last ten years of such service having been continuous.

Such election by such supreme court justice shall be made by filing, while in the service, a written declaration with the governor, who, upon finding the existence of conditions as herein specified shall endorse his approval thereon.

"Section 32. Such supreme court justice on such approval and upon taking the oath of office prescribed by the Constitution, shall become a supreme court supernumerary justice of the state. On request of the chief justice or the presiding judge of the court of appeals or the governor such supernumerary supreme court justice may serve on the supreme court or the court of appeals when the chief justice, presiding judge or governor shall find and certify that his services are needed. A supreme court supernumerary justice when serving on either of said courts, in the absence or disqualification of the regular justice or judge, as the case may be, whose duties are being supplied by him, shall have and exercise all the duties and functions of such a justice or judge of said court. When serving on either of said courts for reasons other than the absence or disqualification of the justice or judge, his duties shall be as prescribed by the chief justice when serving on the supreme court, and as prescribed by the presiding judge when serving on the court of appeals. A recital in the minutes of the court that such a justice or judge is absent or disqualified, and that the supreme court supernumerary justice is sit-

ting in his place at the request of the chief justice, the presiding judge or the governor shall be conclusive evidence of his authority to act in that capacity.

"Section 33. Supernumerary justices of the supreme court shall hold office during good behavior and may be removed only by impeachment for the causes specified in section 173 of the Constitution. Each supreme court supernumerary justice shall receive a salary of seven thousand two hundred dollars ($7,200) per annum which shall be payable out of the treasury as the salaries of other supreme court justices are paid. Such supernumerary justice while serving on the supreme court or the courts of appeals, at the request of the chief justice or governor, as provided in Section 32 of this title, shall receive an additional sum, during the term of such service, which, when added to the salary of a supernumerary justice would amount to fifteen thousand dollars ($15,000) per annum, payable out of the treasury as the salaries of other supreme court justices are paid, upon a certificate of the chief justice of such service by the supernumerary justice at his request or that of the governor. No such supernumerary justice shall continue on a service status requested by either the chief justice or the governor with any appellate court, who has not averaged the preparation and announcement of a minimum of two cases per month, or six cases per quarter, during the six months next preceding the time an accounting is made. The accounting shall be made by the chief justice during the months of January, April, July and October of each year. A failure to meet the minimum of an average of two announced cases per month, or six per quarter, during the accounting period shall require the immediate removal of the supernumerary service status with an appellate court and a cessation of the additional service status salary; whereupon, the supernumerary justice shall immediately revert to the regular supernumerary status. The compensation for any status, whether regular or service, provided for in this section shall be paid in the same manner as the regular justice is paid. Upon approval by the governor of an election by a supreme court justice, as authorized by section 31 of this title the office then held by him shall become vacant and the vacancy shall be filled as provided by article 6, section 158 of the Constitution."

Section 2. This act shall become effective immediately upon its approval by the governor.

Mr. Torbert offered the following amendment to the substitute for the Bill, S. B. 60, to-wit:

AMENDMENT TO SUBSTITUTE FOR S B 60

Amend Section 1 of Substitute for S B 60 by striking Section 33, as amended, in its entirety and substituting in lieu thereof the following:

"Section 33. Supernumerary justices of the supreme court shall hold office during good behavior and may be removed only by impeachment for the causes specified in section 173 of the Constitution. Each supreme court supernumerary justice shall receive a salary of seven thousand two hundred dollars ($7,200) per annum which shall be payable out of the treasury as the salaries of other supreme court justices are paid. Such supernumerary justice while serving on the supreme court or the courts of appeals, at the request of the chief justice or governor, as provided in section 32 of this title as amended, shall receive an additional sum, during the term of such service, which, when added to the salary of a supernumerary justice would amount to two hundred fifty dollars ($250) per month less than the monthly salary of a justice of the supreme court, payable out of the treasury as the salaries of

other supreme court justices are paid, upon a certificate of the chief justice, with the advice of the Supreme Court, of such service by the supernumerary justice at his request or that of the governor. All supernumerary justices shall continue on a service status as requested by either the chief justice or the governor with any appellate court so long as he satisfactorily performs such duties as may be assigned to him by the chief justice of the supreme court of the presiding judge of the court of appeals. The chief justice, with the advice of the Supreme Court, shall determine whether such supernumerary justice is satisfactorily performing his assigned duties and a decision at any time by the chief justice with the advice of the supreme court that such supernumerary justice is not performing such duties shall require the immediate removal of the supernumerary service status with an appellate court and a cessation of the additional service status salary; whereupon, the supernumerary justice shall immediately revert to the regular supernumerary status. The compensation for any status, whether regular or service, provided for in this section shall be paid in the same manner as the regular justice is paid. Upon approval by the governor of an election by a supreme court justice, as authorized by section 31 of this title the office then held by him shall become vacant and the vacancy shall be filled as provided by article 6, section 158 of the Constitution."

Which was adopted.

And said substitute as thus amended for the Bill, S B 60, was then adopted.

Yeas 12; Nays 9.

Yeas:

Messrs.:	Giles	Lindsey	Torbert	
Childs	Givhan	Morrow	Turner	
Clark	Goodwyn	Skidmore	Vacca	
Folsom				—12

Nays:

Messrs.:	Carr	Hawkins	Nabors	
Albea	Dominick	McDermott	Pierce	
Branyon	Gilmore			—9

And said Bill, S. B. 60, as amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 12; Nays 10.

Yeas:

Messrs.:	Folsom	Goodwyn	Skidmore	
Clark	Giles	Lindsey	Torbert	
Cooper	Givhan	Morrow	Turner	
Engel				—12

Nays:

Messrs.:	Carr	Gilmore	Nabors	
Albea	Childs	Hawkins	Pierce	
Branyon	Dominick	McDermott		—10

The Bill:

S. 237. To create a Court of Criminal Appeals and a Court of Civil Appeals; to provide for the jurisdiction of each; to provide for appeals to said courts; to provide for the transfer of cases between the courts and between them and the Supreme Court; to provide for the reporting of the decisions, the terms of court, law clerks for each of the judges, the salaries of the judges, their place of residence, that the members of the Criminal Court of Appeals shall be the same members as the former Court of Appeals; providing for the appointment by the governor of the members of the Civil Court of Appeals to staggered terms, providing for supernumerary judges of said courts, for a clerk of said courts and his duties, and for other clerical assistance and for a review by certiorari of the decisions of said courts.

was taken up.

Mr. Skidmore offered the following amendment to the Bill, S. B. 237, to-wit:

AMENDMENT TO S. B. 237

Amend Section 3 of S. B. 237 line 5 by adding after the word "agencies" the words "other than the Alabama Public Service Commission."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Goodwyn	Nabors	
Albea	Dominick	Hawkins	Pierce	
Branyon	Engel	Lindsey	Skidmore	
Carr	Giles	McDermott	Torbert	
Childs	Gilmore	Morrow	Turner	
Clark	Givhan			—21

Nays: —0

And said Bill, S B 237, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 18; Nays 2.

Yeas:

Messrs.:	Dominick	Goodwyn	Nabors	
Albea	Engel	Hawkins	Skidmore	
Childs	Giles	Lindsey	Torbert	
Clark	Gilmore	McDermott	Turner	
Cooper	Givhan	Morrow		—18

Nays: Messrs. Branyon, Carr —2

The Bill:

S. 378. To provide for the delineation and designation of state planning and development districts and to authorize the governing bodies of counties and municipalities to establish regional planning and development commissions compatible with such state districts.

was taken up.

The Standing Committee on Municipalities and Municipal Organizations reported the following amendment to the Bill, S B 378, to-wit:

AMENDMENT TO S. B. 378

Amend Senate Bill 378 as follows:

Strike out Section 10 in its entirety and renumber the following sections accordingly.

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Clark	Goodwyn	Pierce	
Albea	Cooper	Lindsey	Skidmore	
Branyon	Giles	McDermott	Torbert	
Carr	Gilmore	Morrow	Turner	
Childs	Givhan	Nabors		—18

Nays: —0

Mr. Dominick offered the following amendment to the Bill, S. B. 378, as amended, to-wit:

AMENDMENT TO S B 378

Section 9 of Senate Bill 378 is hereby amended by striking the word "may" wherever it appears in the section and inserting in lieu thereof the word "shall" and by adding the following sentence at the end of this section:

"Said existing planning commissions and councils of government may continue in operation under the statutory authority by which they were created; provided however, that no planning commission or council of government shall be created for planning purposes after the effective date of this Act, except in accordance with this Act."

On motion of Mr. Nabors, said amendment was laid on the table.

Yeas 11; Nays 9.

Yeas:

Messrs.:	Giles	Lindsey	Skidmore	
Clark	Givhan	McDermott	Torbert	
Engel	Goodwyn	Nabors	Turner	
				—11

Nays:

Messrs.:	Dominick	Hawkins	Pierce	
Carr	Folsom	Morrow	Vacca	
Childs	Gilmore			—9

And said Bill, S. B. 378, as amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Goodwyn	Pierce	
Branyon	Engel	Hawkins	Skidmore	
Carr	Folsom	Lindsey	Torbert	
Childs	Giles	McDermott	Turner	
Clark	Gilmore			—21

Nays: —0

The Bill:

S. 570. To amend Act No. 531 adopted at the 1953 Regular Session of the Legislature of Alabama relating to pledges by municipalities, for the benefit of their securities, of that portion of the proceeds from any license, privilege or excise tax levied by local act apportioned and paid to such municipality, so that the said act shall hereafter apply to such taxes levied by any act; and to ratify any such pledges heretofore made.

was taken up.

Mr. McDermott offered the following substitute for the Bill, S. B. 570, to-wit:

SUBSTITUTE FOR S. B. 570

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 531 adopted at the 1953 Regular Session of the Legislature of Alabama relating to pledges by municipalities, for the benefit of their securities, of that portion of the proceeds from any license, privilege or excise tax levied by local act apportioned and paid to such municipality, so that the said act shall hereafter apply to such taxes levied by any act; so as to provide that successive pledges of any such tax may be made on a parity with each other when the privilege so to do is reserved in proceedings of the municipality; and so as to ratify any pledges of the character authorized by the said act, as herein amended, that may have heretofore been made.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 531 adopted at the 1953 Regular Session of the Legislature of Alabama is hereby amended so that the said Section 1 shall read in its entirety as follows:

Section 1. In any case in which a municipality may hereafter issue any securities, including bonds, warrants, notes, and certificates of indebtedness, whether such securities are general obligations of the municipality or are payable solely from a special source, there may be pledged to the payment of the principal of and the interest on such securities all or any part of that portion of the proceeds from any license or privilege tax or excise tax levied by any act of the Legislature which may be apportioned and paid to such municipality; provided, however, that such pledge may be made only for the benefit of securities issued for a purpose or purposes for which the tax proceeds so apportioned to any such municipality are permitted by any such act to be used. In any case in which a pledge is made under the provisions of this act, the se-

curities for the benefit of which such pledge shall be made shall have preference over claims for salaries or other operating expenses or claims for any other purpose, and if more than one such pledge shall be made with respect to the same portion of any such tax proceeds so apportioned then such pledges shall take precedence in the order in which they are made; provided, that if in the proceedings authorizing any such securities and making any such pledge therefor, the municipality reserves the privilege of issuing additional securities secured on a parity of pledge with the securities authorized by the said proceedings, then such additional securities subsequently issued may be secured by such parity pledge in accordance with the provisions of the said proceedings in which the said privilege is reserved. Each pledge of the character authorized by this act that may have been heretofore made by any municipality for the benefit of any such securities heretofore issued by it is hereby ratified and confirmed.

Section 2. There is hereby ratified and confirmed each pledge heretofore made, for the benefit of any securities of any kind heretofore sold by any municipality, of any tax or portion thereof of the character referred to in Act No. 531 adopted at the 1953 Regular Session of the Legislature, as amended by this act; provided, that the provisions of this section shall not apply to any pledge which may have been held invalid by the Supreme Court of Alabama prior to the effective date of this act or the validity of which shall on the effective date of this act be questioned in any suit then pending in any court in this state.

Section 3. If any provision of this act shall be held to be invalid by a court of competent jurisdiction, such invalidity shall not affect any other provision hereof that is not in and of itself invalid.

Section 4. This act shall become effect upon its passage by the Legislature and approval by the Governor or its otherwise becoming a law.

Which was adopted.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors
Albea	Dominick	Hawkins	Pierce
Carr	Folsom	Lindsey	Skidmore
Childs	Giles	McDermott	Turner
Clark	Gilmore	Morrow	Vacca

—19

Nays: —0

And said Bill, S. B. 570, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 20; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Pierce
Albea	Folsom	Lindsey	Skidmore
Carr	Giles	McDermott	Torbert
Childs	Gilmore	Morrow	Turner
Clark	Goodwyn	Nabors	Vacca
Cooper			

—20

Nays: —0

RESOLUTIONS

Mr. Skidmore offered the following Senate Joint Resolution, to-wit:

S. J. R. 61. WHEREAS Anabel Rice Warren, of Tuscaloosa, wife of retired Circuit Judge W. C. Warren passed away on July 23, 1969, and

WHEREAS Mrs. Warren was much respected and well beloved in her community and contributed greatly to the career of her distinguished husband who served the state as a senator as well as a jurist, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of Anabel Warren and extend our deepest sympathy to her family.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Judge W. C. Warren.

On motion of Mr. Skidmore, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 111. To provide for and authorize the incorporation of districts, as public corporations of the State of Alabama, by any two or more incorporated cities, towns or villages in the State of Alabama for the purpose of acquiring, constructing, owning, operating and financing any one or more of systems for providing telephone and other communication services to the public by the transmission of signal, picture, voice and sounds of all kind; to provide for the approval, execution, filing, recording and amendment of the certificate of incorporation of such districts and the dissolution thereof; to grant powers to such districts, including the power of eminent domain, and to provide the means of exercising such powers; to provide for a board of directors and officers to exercise the powers and direct the affairs of such districts; to authorize such districts to issue and sell bonds payable solely from the revenues of its system or systems; to provide for the execution and delivery by such districts of mortgages, deeds of trust and other instruments of security for the benefit of the holders of such bonds; to provide for the remedies and rights available to the holders of the bonds; to provide that the property and income of such districts and any such district itself shall be exempt from all state, county, municipal and other taxation in the State of Alabama, including, without limitation, privilege and license taxation; to provide that the bonds of such districts and the interest thereon shall be tax exempt; to provide that deeds, mortgages, trust indentures and other instruments of, by, or to such districts shall be tax exempt; to provide for the use and utilization and distribution of the revenues of the systems of such districts; to exempt such districts from the jurisdiction and control of the Public Service Commission and all other regulatory bodies and agencies of the State; to regulate the use of the proceeds of sale of any such bonds; to regulate the duplication of existing privately owned systems furnishing the same services and to provide for the acquisition thereof by such districts; to provide for the use of the public roads by such districts; and to make provisions with respect to the acquisition, construction, maintenance, operation and financing of a system or systems by such districts, as a public corporation of the State of Alabama:

Was read a third time at length and lost.

Yeas 7; Nays 16.

Yeas:

Messrs.:	Dominick	Goodwyn	Skidmore
Carr	Folsom	Pierce	Torbert

—7

Nays:

Messrs.:	Engel	Hawkins	Nabors
Albea	Giles	Lindsey	O'Bannon
Childs	Gilmore	McDermott	Turner
Clark	Givhan	Morrow	Vacca
Cooper			

—16

MOTION TO ADJOURN LOST

At 1:50 P.M., Mr. Turner moved that the Senate adjourn until Monday, July 28, 1969, at 2 o'clock P.M., which motion was lost.

Yeas 4; Nays 19.

Yeas:

Messrs.:			
Albea	Branyon	O'Bannon	Turner

—4

Nays:

Messrs.:	Dominick	Goodwyn	Nabors
Carr	Engel	Hawkins	Pierce
Childs	Folsom	Lindsey	Skidmore
Clark	Giles	McDermott	Torbert
Cooper	Gilmore	Morrow	Vacca

—19

BILLS ON THIRD READING RESUMED

The Bill:

S. 15. To Amend Act No. 549, S. 2, approved August 23, 1965 (Acts, 1965, V. 1, p. 811), the Uniform Commercial Code, codified as Title 7 A. Commercial Code.

was taken up.

MOTION TO ADJOURN LOST

At 3 o'clock P.M., Mr. Turner moved that the Senate adjourn until Monday, July 28, 1969, at 2 o'clock P.M., which motion was lost.

Yeas 4; Nays 19.

Yeas:

Messrs.:			
Engel	Gilmore	Morrow	O'Bannon

—4

Nays:

Messrs.:	Cooper	Goodwyn	Skidmore
Albea	Dominick	Hawkins	Stone
Branyon	Folsom	Lolley	Torbert
Childs	Giles	McDermott	Turner
Clark	Givhan	Pierce	Vacca

—19

FURTHER CONSIDERATION OF S. B. 15

The Senate proceeded to further consideration of the Bill, S. B. 15.

ADJOURNMENT

At 3:35 P.M., on motion of Mr. Turner, pending further consideration of the Bill, S. B. 15, the Senate adjourned until Monday, July 28, 1969, at 1 o'clock P.M.